



**PARTIAL REVIEW OF
THE REGIONAL SPATIAL
STRATEGY FOR THE
SOUTH EAST**

**Provision for Gypsies,
Travellers and Travelling
Showpeople**

**Recommendations for
new policy H7**

June 2009



PARTIAL REVIEW OF THE REGIONAL SPATIAL STRATEGY FOR THE SOUTH EAST

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1. Introduction

- 1.1** This submission contains the South East England Regional Assembly's recommendations on the provision of new pitches for Gypsies, Travellers and Travelling Showpeople (GTTS) in the South East.
- 1.2** These recommendations were formally agreed by the full Assembly on Wednesday 4 March 2009 and are set out as new Policy H7 in Section 4 of this document.
- 1.3** The Government will run consultation from Monday 8 June to Friday 28 August 2009. All comments should be sent to the address below to arrive no later than 28 August 2009:

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2 The Square, Temple Quay
Bristol BS1 6PN

Email: bbaysdnp@googlemail.com
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- 1.4** Section 2 summarises our recommendations. Section 5 explains how they were developed. Annex A details who and how we have consulted in coming to our recommendations, and how that feedback has helped us formulate them.
- 1.5** Accompanying this submission document are two technical reports that have also informed our advice, the Sustainability Appraisal and Habitats Regulations screening report. Both are also available on the Assembly's website¹, alongside a wide range of supporting and background material.

2. Summary

- 2.1** This document is the product of a single issue review of the South East Plan, the Regional Spatial Strategy for the South East. The review was initiated in response to publication of Government guidance² requiring that Regional Spatial Strategies address the accommodation requirements of Gypsies and Travellers. Guidance states that we should identify the number of caravan pitches each local planning authority should provide (but **not** their location) and identify suitable land on which to accommodate them. This process takes account of Gypsy and Traveller Accommodation Assessments produced by our local authorities, and a strategic view of needs across the region.
- 2.2** This guidance seeks to reverse under-provision for GTTS in recent decades, and thereby to reduce unauthorised sites and the tensions they can cause with other residents. In the South East 22% of GTTS caravans have no authorised place to stop, and their occupants are therefore legally homeless. Gypsies and Irish Travellers already fare the worst of any British ethnic group in terms of health and education. The shortage of authorised sites makes it more difficult for an already socially-excluded and discriminated-against part of the community to access employment, health care, education and other services.
- 2.3** To address their needs for the period 2006-2016 we recommend that an additional 1,064 permanent residential pitches are provided for Gypsies and Travellers, and a further 302 for Travelling Showpeople. Taken together, the average local authority in the South East will need to find suitable land for 20 pitches, although individual requirements vary. This represents around 0.5% of the equivalent

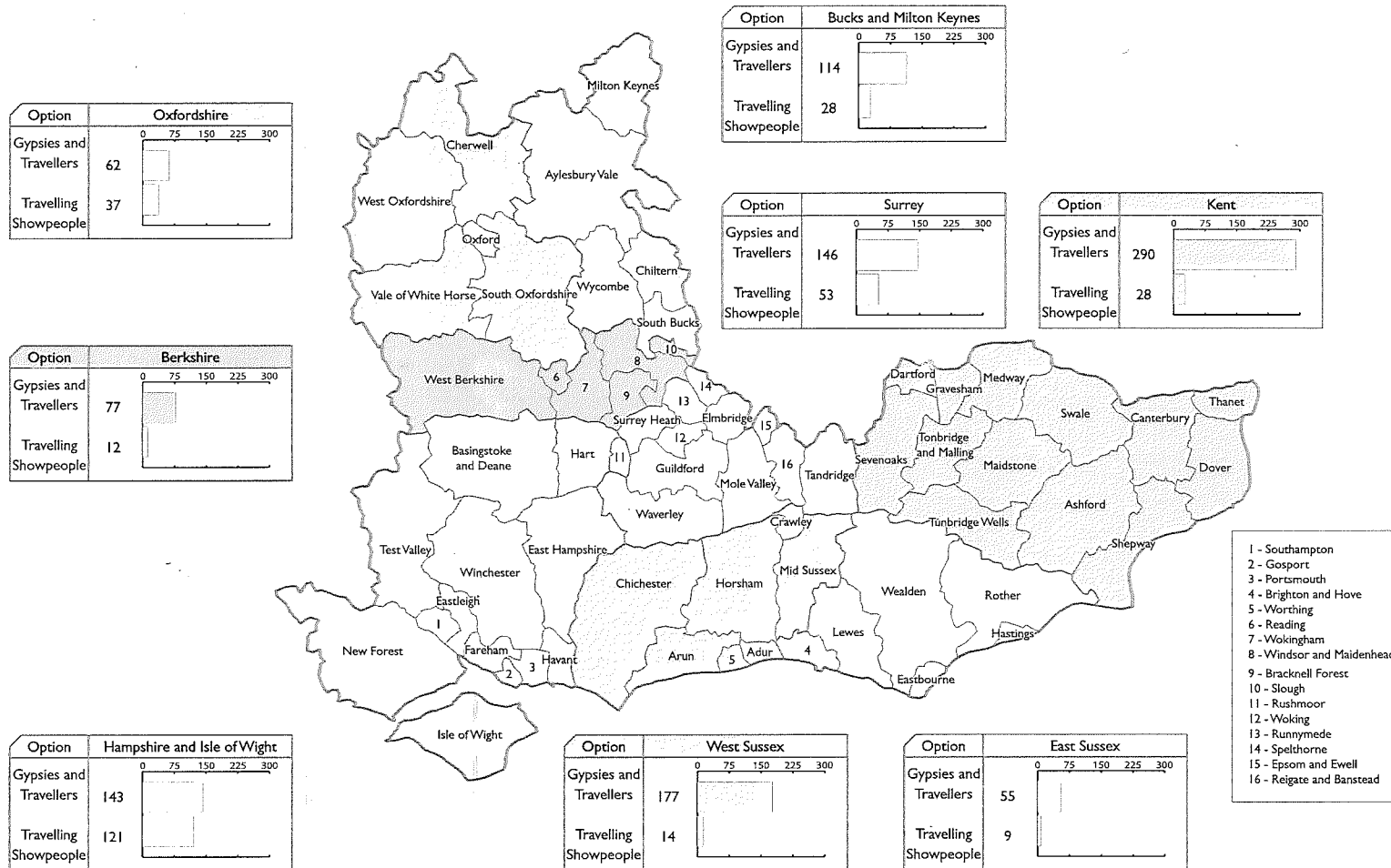
FOOTNOTES

¹ Currently www.southeast-ra.gov.uk/sep_gtts.html.

² *Planning Circulars 01/2006 Planning for Gypsy and Traveller Caravan Sites (CLG February 2006), and 04/2007 Planning for Travelling Showpeople (CLG August 2007).*

FIGURE I

Gypsy and Traveller and Travelling Showpeople Provision in the South East 2006-2016



- 1 - Southampton
- 2 - Gosport
- 3 - Portsmouth
- 4 - Brighton and Hove
- 5 - Worthing
- 6 - Reading
- 7 - Wokingham
- 8 - Windsor and Maidenhead
- 9 - Bracknell Forest
- 10 - Slough
- 11 - Rushmoor
- 12 - Woking
- 13 - Runnymede
- 14 - Spelthorne
- 15 - Epsom and Ewell
- 16 - Reigate and Banstead

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5.19

requirements for standard housing in the same period. The recommended approach includes a modest element of regional redistribution to widen opportunities for GTTS in areas with limited current provision, and thereby to improve delivery by broadening responsibility for new pitch provision.

- 2.4 These requirements are illustrated by county group in Figure 1, and tabulated by local authority within the proposed new Policy H7 in Section 3 of this document. This will replace an interim statement on provision for Gypsies and Travellers in the draft South East Plan. In addition, councils will need to locally assess the demand for temporary stopping places for use by Gypsies and Travellers while travelling (such as transit site pitches), and identify suitable locations for them.

3. Next steps

- 3.1 The proposals in this document will be tested at an Examination in Public chaired by an independent planning inspector, scheduled to run from Tuesday 2 to Friday 5 February 2010. Responses to the Government-run consultation will help the planning inspectors identify issues for exploration at the examination. Dates for preparatory meetings and other examination information and resources will be published on the Planning Inspectorate website³.

4. New policy H7 and supporting text

Provision for Gypsies, Travellers and Travelling Showpeople⁴

- 4.1 The South East is home to around a fifth of England's GTTS. Most tend to live fairly settled lives, often alongside other residents both on authorised caravan sites and Showpeople's yards, and in housing. However, due to a combination of a growing GTTS population and the lack of new sites provided in the last two decades, delivery of new pitches has become a national priority. In the South East 22% of GTTS caravans have no authorised place to stop, so their occupants are legally homeless. The shortage of authorised sites makes it more difficult for an already socially-excluded part of the community to access employment, health care, education and other services.

- 4.2 The level of proposed provision is derived from survey-based needs assessments carried out by local authorities in consultation with GTTS communities, and advice from local authorities on how the assessments should be interpreted for their areas⁵. GTTS reside in and move through all parts of the South East, with local concentrations of Gypsies and Travellers in Kent and Surrey, and of Travelling Showpeople in Hampshire and Surrey. The pitch allocations mostly reflect historic GTTS settlement patterns, but a quarter of the total requirement has been regionally redistributed to widen opportunities where provision is currently limited⁶.

FOOTNOTES

³ www.planning-inspectorate.gov.uk/pins/rss/south_east_g&t.

⁴ As defined in Circulars 1/2006 Planning for Gypsy and Traveller Caravan Sites and 4/2007 Planning for Travelling Showpeople respectively.

⁵ Factors taken into account include family and population growth; the existence of unauthorised sites; current pitch supply, turnover and overcrowding; and where available migration intentions and transfer to and from pitches and other forms of accommodation.

⁶ Redistribution takes broad account of relative access to opportunities including services and employment, and the relative extent of potentially developable land. In practice this generally (but not always) tends to modestly increase requirements in areas where current provision is relatively low. An element of redistribution was strongly supported by both GTTS and South East residents.



4.3 The combined requirements of this policy will provide for an increase in authorised pitch numbers of two-thirds by 2016, but the extent of backlog means there is an immediate need to provide additional pitches. This is both a significant step forward and a delivery challenge, although the total requirement is modest at around 20 pitches or 0.5 hectares per local planning authority (0.5% of the land-take for housing). At current costs and funding levels Gypsy and Traveller Site Grant is unlikely to enable more than a third of the residential pitches required. Regional partners, councils and the GTTS community will need to work together to ensure effective delivery. Allocations will be updated following a regional review of GTTS provision starting in 2011-12. Where Local Development Documents (LDDs) look beyond 2016, onward requirements can be calculated on the basis of 3% compound growth for Gypsies and Travellers and 1.5% for Travelling Showpeople⁷.

4.4 The Homes and Communities Agency has an important role in improving value for money in public pitch provision and greater involvement by registered affordable housing providers, including consideration of the potential of intermediate tenures, is desirable. Publicly-funded Gypsy and Traveller pitches count as affordable housing and provision

via Section 106 legal agreement or by developers within new developments is encouraged. However, the primary means of delivery will be through local authority development control powers and the identification of suitable, available and viably developable land through LDDs, for take-up by GTTS otherwise able to provide for themselves.

4.5 The siting, scale and design of new GTTS sites⁸ is a matter for local authorities in consultation with GTTS, noting their expressed preference to live in reasonable proximity to services and employment opportunities, and to live on smaller sites in family groups. Collaborative working between councils is encouraged. Where formally agreed between the councils concerned and set out in their LDDs, allocations may be combined and redistributed between partner authorities where it would improve delivery outcomes. In principle, pitches could be provided on any land that is allocated or suitable for residential development, or capable of being made so. Where land availability poses significant constraints and there are no suitable, viable and deliverable alternatives, unmet GTTS need may constitute exceptional circumstances that could justify relaxation of Green Belt policy or use of sites within protective designations such as Areas of Outstanding Natural Beauty.

FOOTNOTES

⁷ Both figures are growth net of pitch turnover, to be calculated from the sum of the 2006 pitch baseline and the full 2006-2016 allocation, compounded annually.

⁸ See Circulars 1/2006 and 4/2007; and the *Designing Gypsy and Traveller Sites Good Practice Guide (CLG 2008)*. The following may also be helpful: *Travelling Showpeople's Sites – A Planning Focus (Showmen's Guild of Great Britain, 2007)*.

4.6 Travelling for both work and cultural reasons remains an important part of GTTS lifestyles. An increase in suitable, authorised stopping places is also a high priority and is important to improve relations between settled and travelling communities. The evidence currently available⁹ at regional level is insufficiently robust to provide transit allocations for individual planning authorities. Councils working together on a county-group basis should take immediate steps to compile and assess all available local indicators of transit need. This is for consideration alongside regional evidence to identify and provide the appropriate quantity, form and distribution of transit and emergency-stopping places. As a starting point Table H7b provides county-group data on unauthorised encampments and where available a summary of transit commentary from local authority needs assessments. A regional transit study will examine travelling patterns and high-level evidence of transit need.

4.7 Regional partners and local authorities will monitor pitch permissions and completions and progress on site-specific LDD allocations, to track progress and improve the evidence base for LDDs and the next regional review. Monitoring will differentiate between residential pitch and transit provision, between affordable and private provision and between provision for Gypsies and Travellers and for Travelling Showpeople. Temporary permissions should be noted separately. Councils that do not already do so should instigate robust monitoring of unauthorised developments and unauthorised encampments, noting the number of caravans and collating time-series data co-ordinated with CLG Caravan Count recording. Collection of data about travelling groups is desirable, including home/origin, destination and if applicable their preferred area for permanent provision.

**POLICY H7:
PROVISION FOR GYPSIES, TRAVELLERS
AND TRAVELLING SHOWPEOPLE**

Local Planning Authorities will make provision in Local Development Documents to deliver 1,064 net additional permanent residential pitches for Gypsies and Travellers in the period 2006-2016, and 302 for Travelling Showpeople, as set out in Table H7a which details pitch requirements by local authority. Local Planning Authorities will also make appropriate provision in Local Development Documents to meet requirements for transit and temporary stopping purposes.

FOOTNOTES

⁹ Not addressed in half the region's GTAA's. Other sources considered include CLG Caravan Count, and where available and provided, council enforcement records and police data.



TABLE H7a

Permanent residential pitch baseline and net additional pitch provision requirements 2006-2016

Unitary/District Authority	Gypsies & Travellers		Travelling Showpeople	
	2006 baseline	Requirement	2006 baseline	Requirement
Total South East	1,868	1,064	431	302
Bracknell Forest	15	15	17	2
Reading	0	7	11	2
Slough	40	7	0	1
West Berkshire	39	18	5	3
Windsor and Maidenhead	49	9	12	2
Wokingham	71	21	1	2
Berkshire Unitaries	214	77	46	12
Aylesbury Vale	41	39	4	6
Chiltern	12	9	1	16
Milton Keynes	18	36	0	3
South Bucks	87	15	0	1
Wycombe	36	15	10	2
Buckinghamshire and Milton Keynes	194	114	15	28
Brighton and Hove	0	13	0	2
Eastbourne	1	3	3	1
Hastings	1	2	0	1
Lewes	11	10	0	1
Rother	8	7	1	1
Wealden	22	20	1	3
East Sussex/Brighton & Hove	43	55	5	9
Basingstoke & Deane	0	11	2	17
East Hampshire	10	6	18	12
Eastleigh	2	4	3	6
Fareham	1	4	0	5
Gosport	2	2	0	3
Hart	40	13	9	8
Havant	2	4	0	5
Isle of Wight	0	27	0	0
New Forest	42	9	27	11
Portsmouth	0	10	0	7
Rushmoor	0	2	17	4
Southampton	14	12	8	9
Test Valley	13	18	14	18
Winchester	34	21	19	16
Hampshire/Isle of Wight	160	143	117	121

TABLE H7a – continued

Permanent residential pitch baseline and net additional pitch provision requirements 2006-2016

Unitary/District Authority	Gypsies & Travellers		Travelling Showpeople	
	2006 baseline	Requirement	2006 baseline	Requirement
Ashford	106	30	4	3
Canterbury	50	30	10	4
Dartford	45	22	3	4
Dover	18	23	0	2
Gravesham	13	12	0	1
Maidstone	115	35	8	3
Medway	14	30	15	3
Sevenoaks	82	19	1	1
Shepway	1	12	0	1
Swale	48	28	3	2
Thanet	0	17	1	2
Tonbridge and Malling	37	18	3	1
Tunbridge Wells	17	14	0	1
Kent	546	290	48	28
Cherwell	48	15	14	11
Oxford City	0	9	1	3
South Oxfordshire	37	12	22	7
Vale of White Horse	37	12	3	4
West Oxfordshire	80	14	18	12
Oxfordshire	202	62	58	37
Epsom and Ewell	30	12	2	3
Mole Valley	20	6	4	1
Reigate & Banstead	12	27	12	12
Tandridge	33	7	1	1
Elmbridge	23	9	12	4
Runnymede	56	10	42	10
Spelthorne	22	8	0	6
Woking	24	16	0	8
Guildford	32	8	37	4
Surrey Heath	32	33	6	3
Waverley	52	10	0	1
Surrey	336	146	116	53
Adur	12	15	0	0
Arun	17	17	6	2
Chichester	64	54	18	3
Crawley	0	19	0	1
Horsham	44	50	1	5
Mid Sussex	36	20	0	2
Worthing	0	2	0	1
West Sussex	173	177	25	14



TABLE H7b

Indicators of need for transit provision by county group

County group	Indicative transit advice/assessment	Unauthorised encampment caravans		
		Winter	Summer	Change
Berkshire Unitaries	No advice	23	16	-7
Buckinghamshire and Milton Keynes	No advice	5	19	14
East Sussex, Brighton & Hove	2 sites	24	84	60
Hampshire, Isle of Wight	4 sites	40	113	74
Kent and Medway	7 sites/stopping places	62	38	-25
Oxfordshire	No advice	17	17	1
Surrey	No advice	2	15	13
West Sussex	25 transit pitches	34	50	17
South East		205	352	147

Number of caravans, averaged from CLG Caravan Count data 2004-07 inclusive. Figures do not sum due to rounding.

5. Background to the recommended approach

Introduction

- 5.1** This section explains the process by which we agreed the recommended level and distribution of residential pitches, and the recommended approach to transit pitch provision. Consultation played an important part and the headlines are noted. The feedback received and approaches used are summarised in detail in the Pre-submission Consultation Statement attached at Annex A.
- 5.2** The review sought to identify the level of accommodation needed, determine how it should be distributed between local

authorities and to consider how it will be provided. Local authorities were asked to form groups and submit advice to the Assembly on pitch requirements in their areas, taking into account their Gypsy and Traveller Accommodation Assessments (GTAAAs) and other factors they considered locally relevant. The 'advice groups' were asked to provide advice on two options for distributing the required number of pitches between them:

Option A: a distribution meeting needs by making provision within the same local authority where the need arises, essentially providing new pitches only where GTTS currently live

Option B: a distribution which seeks to protect and enhance the natural environment, including its biodiversity and landscape character while making best use of previously developed land and existing

or planned infrastructure provision; and facilitates access to employment opportunities and local services to support social inclusion.

Residential pitch requirements

- 5.3** The level of additional, permanent residential pitches required has been established by a bottom-up process. GTAA's provided the base information underpinning local authority advice. GTAA's were benchmarked for procedural robustness and internal consistency by independent academic consultants¹⁰. The results were fed back to local authorities to inform their submission of advice on pitch requirements.
- 5.4** Local authority advice was audited by the same consultants to establish whether it was reasonable in the light of the GTAA and benchmarking results, and any other local factors identified by the advice group as being relevant to the level of pitch provision proposed¹¹. As this was the first time GTAA's have been carried out, councils were provided an opportunity to update their advice in the light of practice elsewhere in the region¹².
- 5.5** Additional government guidance,¹³ published part-way through the review, extended the process to Travelling Showpeople, including circus people. Supplementary Travelling Showpeople needs assessments were produced where

necessary and the results incorporated. For timing reasons these were not benchmarked, and Option B advice was not sought. Representatives of the Guild of Travelling Showmen identified 42 homeless families whose needs had not been accounted for and could not be allocated to any specific area using the approach in government needs assessment methodology¹⁴. This additional element of need was accepted and shared across the region.

- 5.6** GTAA's assessed pitch needs for a five-year period. Part-way through the review it was decided that 10-year allocations would better address current and medium-term GTTS needs and add certainty in the planning process. Some advice groups provided pitch figures for a ten-year period. Elsewhere five-year requirements were extrapolated to 10 years by the Assembly using standard household growth assumptions¹⁵.
- 5.7** In some cases local authority advice groups recommended pitch numbers below the level of need identified in GTAA's¹⁶, or advised that the extrapolation of onward need over-estimated future requirements¹⁷. The advice audit report¹⁸ identified this as an area of concern, while accepting the reasonableness of some of the adjustments made. In considering the relative merits of the top-down/expert audit view and the bottom-up view based on local knowledge the Assembly decided

FOOTNOTES

¹⁰ Pat Niner, University of Birmingham with colleagues from University of Salford/Sheffield Hallam University. Note the benchmarking process is a high-level check that assumes, but cannot confirm, the reliability of the underlying survey work. The consultants final report on GTAA benchmarking and the advice audit is available online: www.southeast-ra.gov.uk/southeastplan/consultation/gt_update.html.

¹¹ All advice submitted and the final report of the benchmarking and audit process is available online www.southeast-ra.gov.uk/southeastplan/consultation/gt_update.html.

¹² Updated advice was submitted by Kent and Surrey authorities, and was not re-audited.

¹³ Planning Circular 04/2007 Planning for Travelling Showpeople (CLG August 2007).

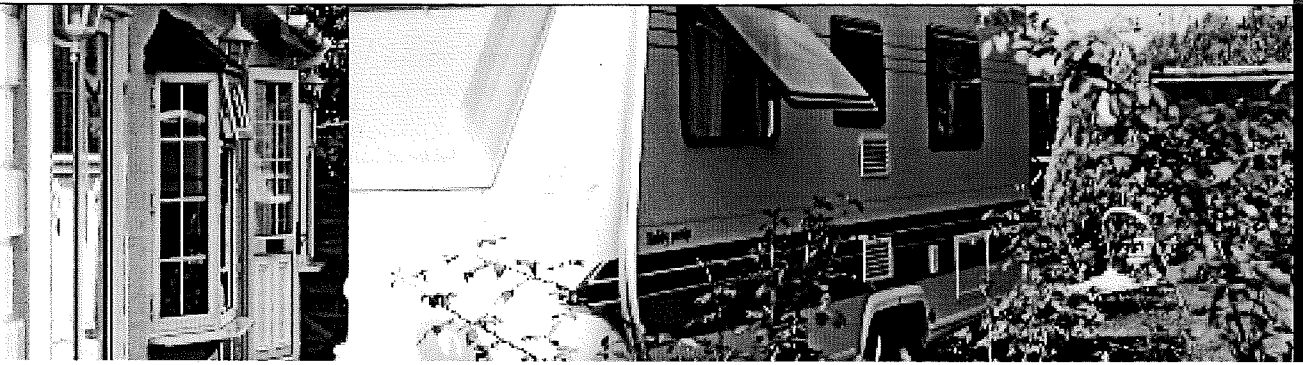
¹⁴ Primarily families evicted after losing appeals for unauthorised development sites.

¹⁵ 3% compound growth for Gypsies and Travellers, 1.5% for Travelling Showpeople.

¹⁶ Oxfordshire and Buckinghamshire (not including Milton Keynes) in original advice, and Surrey and Kent authorities in their updated advice after the audit process (although for Kent the change was modest and a by-product of improving consistency in assumptions used across their four GTAA's). In addition figures for Chichester were reduced in accordance with advice audit recommendations to correct a double-counting error identified at benchmarking stage.

¹⁷ East Sussex.

¹⁸ www.southeast-ra.gov.uk/southeastplan/consultation/gt_update.html.



in favour of the latter, although we acknowledge that both viewpoints have their merits.

- 5.8** Issues and Options public consultation on the level of provision recommended by local authorities revealed mixed views. Not surprisingly most local authorities thought they were about right. Residents tended to view them as too high. Travelling Showpeople tended to view the numbers as low, although the Guild accepts that the Showpeople pitch numbers proposed for the majority of the region are a reasonable starting point¹⁹. Most Gypsies and Travellers and their community representatives consider the proposed number of pitches much too low in all areas, with a widespread view that the GTAA process has underestimated need. We have found no specific evidence that need has been underestimated but acknowledge the risk, not least as there is very little information available about GTTS populations on which to base GTAA forecasts of future accommodation need. Nonetheless, we conclude that the GTAA evidence base and local authority advice received is the best information available to us.

Residential pitch distribution

- 5.9** 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.

- 5.10** When we compiled local authority advice we found that Options A and B produced similar spatial pitch distributions largely following existing GTTS settlement patterns. This meant that many parts of the region would continue to offer few or no GTTS pitches. To test whether this was an appropriate outcome the Assembly consulted on two additional, regionally redistributive options. It was agreed that they would be based on planning and sustainability considerations, not simply transferring pitches from high to low provision areas. That said the redistributive approach agreed generally tends to increase requirements in county areas where advised need arising is relatively low, and decrease them where they are comparatively high.

- 5.11** For Gypsies and Travellers the additional options build on the local redistribution within Option B, by pooling a proportion of each area's Option B allocation for regional redistribution²⁰ (the later inclusion of Travelling Showpeople in our process meant that no Option B distribution was

FOOTNOTES

¹⁹ The Guild disagree with vacancy rate assumptions used in assessments in the Thames Valley area.

²⁰ Further details are provided in the Further Options Technical Note available on the Assembly website. The same criteria were used to allocate provision for the 42 homeless Showpeople families noted previously. Note Hampshire did not submit an Option B distribution in their advice, so Option A was used instead.

produced, so Option A was used as a starting point²¹). Option C pooled 50%, and Option D pooled 25%. A proportion of the pooled total was then allocated back to each authority based on two equally weighted criteria, their share of the regional total of:

- Land area without restrictive environmental and landscape planning designations, representing relative constraints to development and environmental protection priorities
- Population at 2016, representing relative employment opportunities and access to public services (both tending to be more readily available in populous areas).

5.12 To recap, the four options consulted on at Issues and Options stage, all providing the same total number of pitches, were as follows:

Option A: to meet need where it arises

Option B: redistribution within local advice areas as locally determined, for Gypsies and Travellers only

Option C: Option B plus 50% regional redistribution

Option D: Option B plus 25% regional redistribution, a midpoint between options B and C.

5.13 Consultation revealed polarised views, with the most redistributive Option C approach attracting 41% support, followed by the least distributive approach, Option A (26%). Taken as a whole, a majority of respondents supported some redistribution (57% options C and D). Notably GTTS favoured greater redistribution (51% support option C and 15% support option D), although views from leading community representatives were mixed. Residents also tended to favour more even distribution. Councils

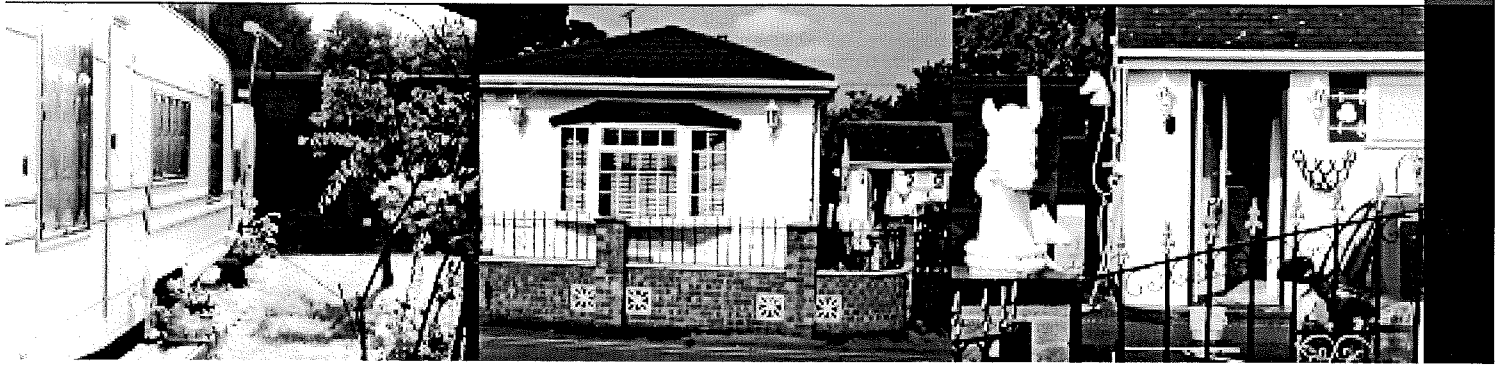
were almost the mirror opposite, with 63% opposing regional redistribution. A number of local authorities and town or parish councils identified significant constraints to local pitch delivery due to shortages of developable land, for example due to restrictive planning and environmental designations or tight urban boundaries.

5.14 Sustainability Appraisal (SA) and Habitat Regulations Assessment (HRA) indicated that, at the regional scale, all the options produce a moderately positive overall effect on sustainability without significant adverse effects on habitat areas of European significance. The most important SA effects are the compelling positive socio-economic benefits to GTTS of making provision, and consequent reduction in the potentially adverse effects of recourse to unauthorised sites (which are common benefits to all four options). We consider there are no significant SA differences between the effects of the four options. That said, it is clear that GTTS welcome wider location choice in principle. On the other hand, while some are prepared to be mobile, if redistribution were too extreme there is a potential, but unquantifiable risk, that some pitches provided would not be occupied, reducing overall sustainability benefits.

5.15 Having considered consultation feedback received and the SA and HRA conclusions the Assembly recommends Option D as a deliverable compromise. While there is majority support for deeper redistribution, Option D will offer both widened choice and a less abrupt transition towards a pattern of provision that is more sustainable in the long-term. The combination of local and regional redistribution within this approach will assist pitch delivery by sharing responsibility for provision more widely

FOOTNOTES

²¹ Hampshire authorities agreed a total requirement for Travelling Showpeople but were unable to agree an Option A distribution. The Assembly generated an interim distribution for consultation using our redistribution methodology. By default this remains in place as Option A.



between councils. The Showmen's Guild and some representatives of the National Federation of Romany Gypsy and Irish Traveller Liaison Groups (Southern Network) also support option D, as a balance between recognition of the reasons why GTTS gravitate to particular areas (employment, family links etc), and the need for each authority to play a part in resolving the need for new sites.

Transit provision

5.16 The Assembly recommends a delegated approach to transit provision. While there was a fairly low and mixed consultation response on the merits of this approach at Issues and Option consultation stage, and 79% support for provision where GTTS often stop while travelling, we conclude that the evidence currently available at regional level is insufficiently robust to make consistent transit pitch allocations across the region. Our draft policy recommends county-based joint working to establish the level and form of provision required. To assist local authorities in this task and to help address the current evidence gap we are commissioning a regional study into transit movement patterns and higher-level evidence of need. We aim to complete this work during 2009.

Appendix 3

www.oxford.gov.uk



To: City Executive Board

Date: 22nd October 2008

Item No:

Report of: Head of City Development

Title of Report: South East Plan partial review on gypsy and traveller accommodation – consultation response

Summary and Recommendations

Purpose of report: To agree a response to a regional consultation, to feed into a partial review of the draft South East Plan, on the number of Gypsy and Traveller pitches to be provided at the local authority level.

Key decision No

Executive lead member: Councillors Ed Turner / Colin Cook

Report approved by: Executive Director for City Regeneration, Mel Barrett

Finance: Chris Kaye

Legal: Jeremy Thomas

Policy Framework: Corporate Plan 2008-11 (Stronger and more inclusive communities; More housing, better housing for all); Core Strategy 2026 Proposed Submission (Policy CS28 – Accommodation for Travelling Communities)

Recommendation(s): For the Board to endorse the draft response to the consultation (**Annex 1**), and authorise the Head of City Development to forward the response to SEERA as the formal view of the City Council.

Introduction

1. The South East Plan Regional Assembly (SEERA) is currently seeking views on providing new places to live for Gypsies, Travellers and Travelling Showpeople. As the Regional Planning Body, SEERA have been required by Government Circular 1/2006 (Planning for Gypsies and Travellers) to broadly assess the requirement for new sites to accommodate these

communities across the region. In particular, they must identify in their Regional Spatial Strategy (the South East Plan) the number of new caravan pitches to be provided in each local planning authority area across the region, based on the outcome of a number of Gypsy and Traveller Accommodation Assessments (GTAA) carried out at the sub-regional level.

2. The new requirements to assess gypsy and traveller accommodation in this way have led to the need to update the draft South East Plan, by means of a partial review. This will eventually replace the existing transitional arrangements currently contained within the SEP.
3. A partnership of the five District Councils and the County Council in Oxfordshire has worked together, via officer and member steering groups, to interpret the results of the GTAA for the Thames Valley region (ACTVaR) as relate to Oxfordshire and advise SEERA on the need for traveller pitches in Oxfordshire, and how these should be distributed amongst the five districts. Their work concluded that 11 new gypsy and traveller pitches are likely to be required by 2011 to meet the backlog of need and future household growth in Oxfordshire to 2016. A further 31 pitches would be needed by 2016.
4. In October 2007, the City Council's Executive Board agreed to forward the advice recommended by the Steering Group to SEERA that 11 pitches were needed by 2011, 2 of which could potentially be accommodated in Oxford (see copy of minutes attached as **Annex 2**). However, the City Council has not agreed the option advised by other districts and the County to distribute all 42 pitches (provision to 2016) equally between the five district areas.

Options being consulted on

5. The current public consultation by SEERA sets out four options for distributing gypsy and traveller pitches across the region (three options for travelling showpeople). These assume a regional need for 1,064 new pitches for gypsies and travellers, and up to 274 plots for accommodating travelling showpeople families. The overall number and distribution for Oxfordshire districts under each option is shown in **Annex 3**. You will note that Option A suggests nil (0) pitches be provided in Oxford, whereas Options B, C and D suggest provision of 8 or 9 pitches in the City (plus 1 travelling showpeople plot). The basis for the figures in each option can be summarised as follows:

Option A: Meet the need where it arises in each district;

Option B*: Meet the need arising across Oxfordshire (42 pitches), but equally distribute this number between the five districts;

Option C: Equally distribute 50% of the need in Oxfordshire between the five districts; 50% of the need arising across the whole region to be apportioned regionally to districts, to take account of environmental constraints and population (as a proxy for where infrastructure and services are concentrated);

Option D: Equally distribute 75% of the need in Oxfordshire between the five districts; 25% of the need arising across the whole region to be apportioned regionally to districts, to take account of environmental constraints and population (as a proxy for where infrastructure and services are concentrated).

(*Note that due to time constraints and smaller numbers overall, an 'Option B' for travelling showpeople accommodation is not included in the consultation.)

6. Under Options C and D, the overall provision expected from Oxfordshire is increased by around 50% and 100% respectively, compared with the level of need assessed locally. Under Options B, C and D, Oxford would be expected to accommodate a proportionally greater level of provision than has been identified as actually arising from the City itself. However, under Options C and D, the City's contribution would still be less than other Oxfordshire districts in absolute terms. In all cases, the number to be provided in Oxford would be below the average for district areas across the region (as might be expected for a small urban city council).

Suggested response

7. The response drafted (**Annex 1**) clearly sets out that the City Council will continue to work with partners to find ways of providing and improving accommodation for local gypsy, traveller and showpeople communities. However, it also sets out some significant concerns regarding how some of the options and figures in the consultation paper were devised. Key points are:
 - i) Failure for the options to recognise the particular challenges facing highly constrained urban authorities, where suitable land is scarce and demand high for other uses;
 - ii) In particular, the lack of opportunities to develop edge-of-urban sites within tightly-drawn administrative boundaries;
 - iii) The possible implications of locating traveller sites in areas (such as in Oxford) that already face significant issues of socially excluded communities (which appears not to have been addressed);
 - iv) To question whether it is fair or appropriate to base three of the four options for Oxfordshire on simply splitting the County's provision between five districts, or redirecting provision from parts of the region that have a greater local need to provide – both of which skew provision away from where it is most needed.
8. As such, the response indicates **support for Option A, and does not support Options B, C or D.**
9. With regard to travelling showpeople, the same general principles have been applied in generating the options as for gypsies and travellers, albeit involving a less robust baseline assessment and far lower numbers. Evidence so far suggests a modest need to provide additional sites in

Oxfordshire, although a more robust travelling showpeople accommodation assessment, which will feed into the SEP process, is currently underway. The response sets out that the same general points made in relation to gypsies and travellers would apply to options generated for travelling showpeople.

Level of risk

10. There is no identified financial or other risk associated with the recommendations in this report.

Climate change / environmental impact

11. The only identifiable implication for climate change or the local environment is through supporting the general aim of providing additional accommodation for travelling communities. If additional development were to occur on greenfield land (whether in Oxford or elsewhere in the County), there may be some local environmental impacts, which would need to be assessed and, if necessary, mitigated.

Equalities impact

12. There are clear implications for addressing equality issues. By supporting the overall aim of improving living standards for the travelling communities, the Council would be having a positive impact on equalising the rights and responsibilities of this part of the community. However, the rights and responsibilities of settled yet socially excluded residents in Oxford have also been considered, in pointing out the possible inappropriateness of co-locating new traveller communities with neighbourhoods in need of regeneration due to high levels of deprivation. It is considered that the contents of this report, and the draft response attached, strike an appropriate balance between these two considerations.

Recommendation

13. Board to endorse the draft response to the consultation (**Annex 1**), and authorise the Head of City Development to forward the response to SEERA as the formal view of the City Council.

Name and contact details of author: Matthew Bates

List of background papers: Report to Executive Board, 8th October 2007 (Agenda Item 6: Consultation on the Advice to SEERA on Gypsy and Traveller Need)

Version number: 3

Partial Review of the Draft South East Plan

Public Consultation 1st September – 21st November 2008: Response of Oxford City Council

It should firstly be noted that Oxford City Council, as an administrative area, is rather different from the majority of district areas in the South East region outside London, and is very different compared with the four other districts in Oxfordshire. Unlike the other County districts (which are predominantly rural with market towns, whilst well-connected to transport networks), Oxford is characterised as predominantly urban, with a densely built form interspersed with fluvial floodplains, the Oxford Green Belt, and a patchwork of smaller, often historic parks, gardens and open space. The City's geographical extent is small due to its tightly drawn urban boundaries: the total area is about 46 square kilometres (with an estimated population of some 150,100¹), of which some 50% is built-up; 27% Green Belt, and over 20% within Flood Zones 2, 3a or 3b (generally within the higher risk zones). Approximately 17% of the City falls within one of its 16 Conservation Areas. There is also a less well-known Oxford, characterised by pockets of high unemployment amongst its resident workforce, some areas of relatively high crime, health deprivation, and low educational achievement. For example, ten Super Output Areas in Oxford are amongst the 20% most deprived areas in England.²

Options for Gypsies and Travellers

The City Council worked closely with the other Oxfordshire authorities in preparing the original advice to SEERA, and supports the overall level of need shown for Oxfordshire under Option A. The Council is also mindful of its duties under the Housing Act 2004 to assess and address gypsy and traveller accommodation need alongside the housing needs of the settled communities, and will continue to work with its partners at the local and regional level to find the best way of meeting the accommodation needs and improving the living standards of the local travelling communities.

However, and in light of the introductory paragraph above, the City Council has significant concerns regarding the approach taken by the Regional Assembly to Options B, C and D (Section 6 of the consultation paper). Option B (for Oxfordshire) assumes equal distribution amongst districts, which is fundamentally flawed given Oxford's dense urban character and tightly-drawn administrative boundary relative to the other Oxfordshire districts. The basis for calculating pitch numbers in Options C and D also fail to recognise the inherent problems of identifying suitable sites in medium to high density urban areas, compared with edge-of-settlement locations which can lie beyond an urban district area administrative boundary. Options B, C and D therefore fail to acknowledge the particular difficulties of delivering even small sites in Oxford, where a very limited land supply coupled with huge competing demands for development present very real difficulties in securing the required site or sites. Hence it may prove especially challenging to find a suitable and deliverable site within the current City boundaries for a medium-sized development of 8 or 9 pitches, as suggested for Oxford in Options B, C and D.

¹ ONS: 2004 based sub-national population projections

² Sourced from Oxford Core Strategy 2026: Proposed Submission (Oxford City Council, Sep 2008)

Having to potentially find a site or sites within a densely populated urban area (which in Oxford generally extends all the way out to the City boundary or green belt) also seems at odds with Gypsies and Travellers preferring edge-of-settlement and rural locations, both in Oxfordshire³ and nationally, as stated in the Draft Guidance on the Design of Sites for Gypsies and Travellers (CLG, May 2007)⁴, which states in paragraph 3.2.3:

"Many Gypsies and Travellers express a preference for a rural location which is on the edge of or closely located to a large town or city consistent with traditional lifestyles and means of employment... Sites adjacent to light industrial areas... tend not to be popular because of their isolation, distance from local facilities and because of safety fears (when walking home at night for instance)."

Hence, it is clear that there are very few potentially suitable locations within the administrative boundary of Oxford that would meet the preferences expressed by the majority of the community.

Also, the attached SA report concludes that *"baseline crime statistics at the local authority scale should be a consideration when promoting changes to the strategic allocation of pitches that depart from the level required to meet identified needs."* Some parts of Oxford have a very much higher rate of crime (as reflected in local area deprivation indices) than other areas of Oxfordshire and the South East, and given also that these areas tend to be within outer suburban wards closest to where traveller sites are most likely to come forward⁵, this is a highly relevant consideration for Oxford. It is also questionable whether it would be wise to locate traveller sites close to those peripheral estates that fall within the 20% most deprived areas in the country (see Annex 1 attached), yet this may turn out to be the only option for finding a site in Oxford. Such considerations have not been incorporated in the distributions shown in Options B, C and D.

Commenting in detail on each option:

Option A: The City Council generally supports this option, which by definition reflects most accurately the preferences of the Gypsy and Traveller communities, and is therefore most closely aligned with *Circular 1/06 – Planning for Gypsy and Caravan Sites*. In the local context, there has been little immediate need for provision within Oxford City demonstrated by recent caravan counts (which have consistently shown no caravans within Oxford for the last two years). This option is also more likely to allow new pitches to be located closer or adjacent to existing sites, facilitating the continuation of community and family ties.

Option B: For the Oxfordshire area, this option reflects the advice agreed by the four rural districts and the County Council, **but has not been agreed by the City Council**, which feels the approach is inappropriate. The equal distribution of pitches put forward by our colleagues is based on the principle of shared responsibility, yet complies neither with Circular 1/06 (which is concerned with need where it arises), nor with the brief set for this option by SEERA which sought

³ A survey conducted by the Oxfordshire Partnership showed only 11% of Gypsies and Travellers would prefer a location within a town or city, compared with 44% preferring an edge-of-town. (Source: Oxfordshire advice submitted to SEERA in October 2007, Annex 2)

⁴ <http://www.communities.gov.uk/documents/housing/pdf/322684.pdf>

⁵ Indices of Deprivation 2007 – LSOA Analysis. Oxfordshire Data Observatory - http://portal.oxfordshire.gov.uk/content/public/OCP/UO/themes/poverty/IMD_07/ID07_by_SOA.pdf

"a distribution which seeks to protect and enhance the natural environment, including its biodiversity and landscape character whilst making best use of previously developed land and existing or planned infrastructure provision; and facilitates access to employment opportunities and local services to support social inclusion." (Paragraph 6.1)

Furthermore, this distribution fails to recognise the unique position of Oxford within Oxfordshire as a highly constrained urban area: the City makes up just 1.7% of the total land area in Oxfordshire (29% of this 1.7% is also constrained by green belt designation, and beyond this significant areas of Flood Zone 2 and 3 extend into the built-up area). Yet Oxford is expected to accommodate approximately 20% of new provision if this principle is followed, despite being relatively poorly placed to successfully deliver one or more sites in location(s) suited to the intended occupiers.

Options C and D: The City Council does not support the principle of a region-wide redistribution of pitch provision. This seems diametrically opposed to the principle of identifying and meeting need at a local level set out in *Circular 01/2006*, and raises the issue of whether it is fair to expect the growing gypsy and traveller communities to be effectively forced to relocate to other parts of the region, possibly away from family and friends. (It is, after all, unlikely that this principle would ever be seen as acceptable with respect to conventional housing need, which is addressed as far as possible at the local level.)

The City Council also has very significant misgivings on the method for calculating this redistribution (the details of which have yet to be released to the local authorities affected). As set out above, the methodology used seems to assume that the most suitable locations, namely edge-of-urban locations, will always be within that district's administrative boundary, which is simply not the case. Furthermore, the district figures calculated for Oxfordshire both use Option B as a starting point, which itself is flawed (for Oxfordshire) for the reasons stated above. This has resulted in the reapportionment under Options C and D being added onto a high base figure for Oxford (4 and 6 respectively) relative to the genuine need (assessed at nil for the period to 2016). If this approach were to ultimately be used, it would be more sensible to **use Option A as the starting point**, as it is this option which reflects spatially genuine need (and would assumedly have resulted in Options C and D for Oxford being a more realistic 3 - 5 pitches rather than the 8 or 9 suggested).

Overall in relation to Options B, C and D, the City Council would urge SEERA to consider devising an alternative to these options, if an element of spatial redistribution that departs from need is ultimately preferred. This should be based on the **proportion of unconstrained settlement boundary** (i.e. edge of built-up area *which sits within each district boundary*, and is not constrained by AONB, Green Belt, SSSI, SAC or Flood Zone 2/3), for each district. This would more accurately reflect the original SEERA brief for developing options⁶, in terms of balancing existing infrastructure with natural environment constraints, and would also minimise the risk of allocating sites which ultimately prove difficult to deliver.

Options for Travelling Showpeople

The City Council has agreed with its partners within the Oxfordshire Partnership interim advice on the need for new plots to accommodate showpeople communities, based on a 1.5% per

⁶ Brief for Submission of Advice by Local Authorities (SEERA, December 2006)

annum population growth rate applied to all known households (2006 base year). This advice is reflected in the Option A figure for Oxfordshire of 7 new plots, which the City Council supports as an interim figure. The Oxfordshire Partnership are due to conclude work being undertaken by an external consultant to provide a hopefully more robust assessment.

As the basis for Options A, C and D are the same as for Gypsy and Traveller apportionments, the same general points made above would also apply to the calculations for travelling showpeople. However as an observation, it is perhaps questionable whether very small sites of one or two plots would be either cost-effective, or even workable, given the tendency of showpeople communities to live in larger groupings.

We would also urge further refinement of the means of distributing the 42 'spatially unattributable' families, as it is unrealistic to assume that the needs of these families can be met in this arbitrary manner. Without further information on the general locations of these families, it would be better to use the more robust local assessments of need as a basis for spatial distribution of all plots.

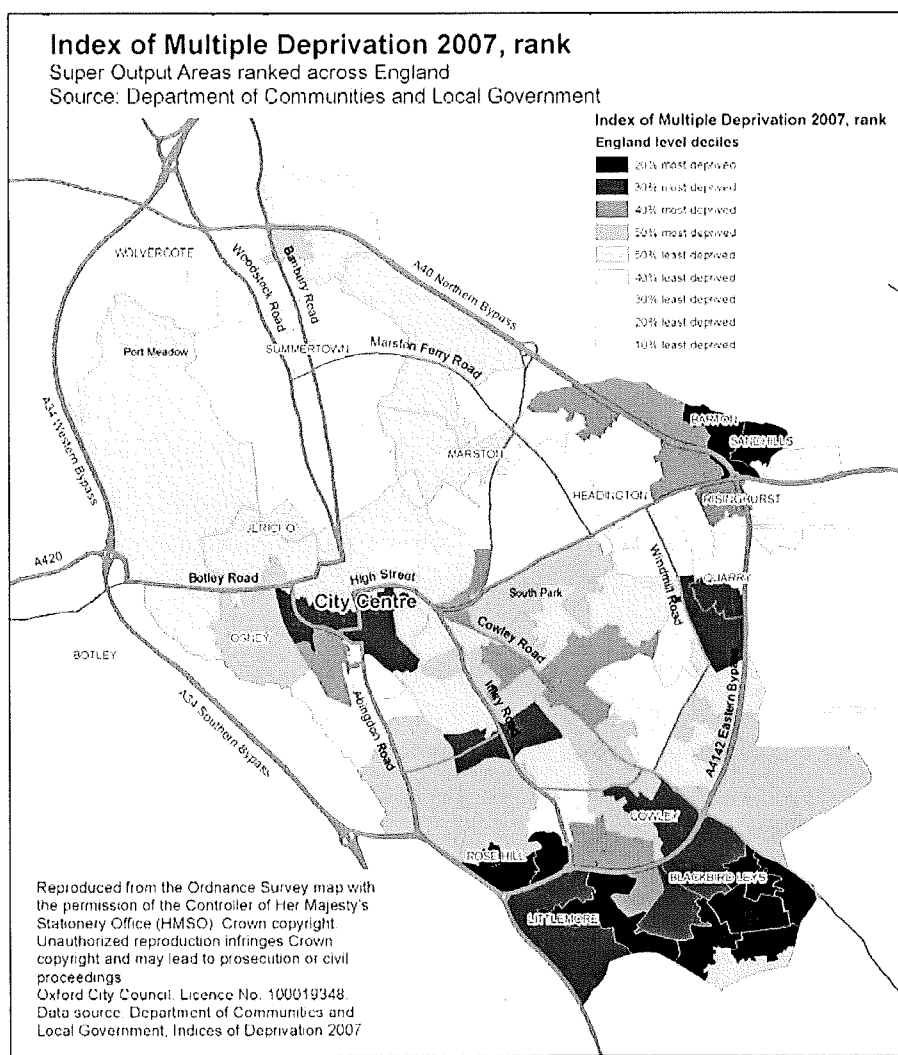


Figure 1: Index of Multiple Deprivation, Oxford by ward

EXECUTIVE BOARD MINUTES MONDAY 8TH OCTOBER 2007

146. CONSULTATION ON THE ADVICE TO SEERA ON GYPSY AND TRAVELLER NEED

The Planning Services Business Manager submitted a report (previously circulated and now appended).

Resolved that: -

- (1) it be confirmed that Oxford would be willing to accept development of two gypsy or traveller pitches to meet need during 2006-11 but was not willing at present to agree the allocation of a further 6 pitches for the period 2011-16;
- (2) the Planning Policy Business Manager be authorised to finalise completion of the SEERA advice pro-forma on the basis of this advice and submit the completed pro-forma to SEERA.

(No member voted against.)

Annex 3

**EXTRACT FROM ANNEX B OF SEERA CONSULTATION PAPER:
GYPSY AND TRAVELLER RESIDENTIAL PITCH OPTIONS 2006-2016**

County grouping and Authority	Option A Need as arises	Option B Local sustainability	Option C 50% pooled	Option D 25% pooled
Cherwell	11	8	25	16
Oxford City	0	8	9	8
South Oxfordshire	17	9	14	12
Vale of White Horse	1	8	19	14
West Oxfordshire	13	9	21	15
Oxfordshire	42	42	88	65

Note that numbers in table refer to Gypsy or Traveller pitches
(a pitch typically accommodates one household with 1.7 caravans)

**EXTRACT FROM ANNEX C OF SEERA CONSULTATION PAPER:
TRAVELLING SHOWPEOPLE RESIDENTIAL PLOT OPTIONS 2006-2016**

County grouping and Authority	Option A Need as arises	42 families Allocation by C/D approach	Option C 50% pooled	Option D 25% pooled
Cherwell	2	2	8	5
Oxford City	0	0	1	1
South Oxfordshire	3	2	4	4
Vale of White Horse	0	1	5	3
West Oxfordshire	2	1	6	5
Oxfordshire	7	6	24	18

Note that numbers in table refer to Travelling Showpeople plots
(a plot typically accommodates one household plus equipment)

Appendix 4 Risk Register

Risk Score **Impact Score:** 1 = Insignificant; 2 = Minor; 3 = Moderate; 4 = Major; 5 = Catastrophic **Probability Score:** 1 = Rare; 2 = Unlikely; 3 = Possible; 4 = Likely; 5 = Almost Certain

No.	Risk Description Link to Corporate Obj	Gross Risk		Cause of Risk	Mitigation	Net Risk		Further Management of Risk: Transfer/Accept/Reduce/Avoid		Monitoring Effectiveness				Current Risk	
		I	P			I	P	Action:	Outcome required:	Q 1	Q 2	Q 3	Q 4	I	P
					Mitigating Control: Level of Effectiveness: (HML)			Action: Action Owner:	Outcome required: Milestone Date:	⊗ ⊗ ⊗ ⊗	⊗ ⊗ ⊗ ⊗	⊗ ⊗ ⊗ ⊗	⊗ ⊗ ⊗ ⊗		
1	May increase tensions between City Council and County/other districts ('Transform Oxford City Council by improving value for money and service performance')	2	2	Submitting Appendix 1 as the formal City Council comments on SEP Draft Policy H7: may lead to negative perception of City Council's position on part of partner local authorities and possibly wider public	Mitigating Control: further consultation will be carried out as part of the Site Allocations DPD Level of Effectiveness: medium	2	2	Action: Accept Action Owner: Michael Crofton-Briggs Mitigating Control: Control Owner:	Outcome required: Further CEB report on Site Allocations Options paper Milestone Date: May/June 2010						
2	May impact on City Council's reputation when considered against corporate priority of 'More houses, better houses for all'	3	2	Submitting Appendix 1 as the formal City Council comments on SEP Draft Policy H7	Mitigating Control: further consultation will be carried out as part of the Site Allocations DPD Level of Effectiveness: medium	2	2	Action: Accept Action Owner: Michael Crofton-Briggs Mitigating Control: Control Owner:	Outcome required: Further CEB report on Site Allocations Options paper Milestone Date: May/June 2010:						