

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet 14 June 2007
AUTHOR/S: Executive Director / Principal Planning Policy Officer

RESPONSE TO THE REGIONAL SPATIAL STRATEGY FOR THE EAST OF ENGLAND SINGLE ISSUE REVIEW TO ADDRESS PROVISION OF GYPSY AND TRAVELLER CARAVAN SITES

Purpose

1. The purpose of this report is to
 - (a) outline the contents of the East of England Regional Assembly (EERA) consultation on Issues and Options relating to the proposed revision to the Regional Spatial Strategy (RSS) to address provision of Gypsy and Traveller Caravan Sites in the East of England, and
 - (b) recommend this report to Council for endorsement before it is sent to EERA as the Council's final response to consultation on the RSS review.

Executive Summary

2. The East of England Regional Assembly (EERA) has published an Issues and Options paper relating to the proposed revision to the Regional Spatial Strategy to address provision of Gypsy and Traveller Caravan Sites in the East of England. This report seeks to agree the Council's response to the consultation. It is recommended that the Council response advocates a more equitable distribution of new provision, as it is unreasonable for the duty to be carried by a relatively small number of authorities simply because they have taken a reasonable approach to making provision in the past, and it would deny Travellers the opportunity of finding sites in the majority of the region.

Background

3. At a meeting on 6th February 2007, the Regional Planning Panel agreed to proceed with a single-issue review of the emerging East of England Plan relating to the provision of Gypsy and Traveller caravan sites. The review is necessary to comply with Government Policy (ODPM Circular 01/2006), which states that 'the Regional Spatial Strategy revision should identify the number of pitches required (but not their location) for each local planning authority in the light of local authority Gypsy and Traveller Accommodation Assessments and a strategic view of needs across the region'.
4. The East of England Regional Assembly (EERA) has subsequently prepared an Issues and Options paper. It was published on 8th May for consultation over a 12-week period. The document sets out relevant information and poses questions that seek views on the following issues:
 - (a) the scale of pitch provision appropriate across the region
 - (b) the distribution of provision
 - (c) delivery and implementation issues

5. The process of revising the RSS will be informed by Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA). A non-technical summary of the appraisal of the Issues and Options Report is included in the document.
6. A draft version of the proposed RSS revision is due to be submitted to the Government by EERA in late 2007. At that point there will be a further opportunity for the Council to make representations.

Issues and Options for Consideration

7. The Issues and Options document is structured around four headings:
 - (a) The Scale of Pitch Provision Appropriate Across the Region
 - (b) Distribution of Provision
 - (c) Delivery and Implementation
 - (d) Travelling Showpeople
8. Under each of these headings the options report seeks response to a series of questions, numbering 11 in total. This cabinet report proposes an answer to each of these questions that could be submitted on behalf of the Council.

a) The Scale of Pitch Provision Appropriate Across the Region

9. Consultants were engaged by EERA to review existing Gypsy and Traveller accommodation needs assessments in the East of England. They concluded that an additional 1220 net additional residential pitches were required in the East of England between 2006 and 2011.
10. The consultants also suggest there might be a need for an additional 300 pitches in the region to fully accommodate transit needs. This would support the needs of the Traveller population to remain mobile, but require a higher level of provision than the consultant's estimates for residential pitches.
11. Whilst consultants provide a firm forecast until 2011, the emerging East of England Plan looks to 2021. One way to develop longer-term policy would be to apply a 3% annual compound growth rate for Gypsy and Traveller households, to allow additional needs to be detailed beyond 2011.

- Q1. Do you think 1220 net additional residential pitches is a reasonable estimate of the level of unmet need for residential pitch provision taking into account how this may change over the period until 2011?**
- Q2. If you think that 1220 net additional residential pitches is not a reasonable estimate of need what alternative level would you think is a more reasonable estimate of need at 2011?**

Council's Draft Response:

12. The figure of 1220 is based on the Gypsy and Traveller Accommodation Assessments carried out across the region. The assessment carried out for Cambridgeshire, lead by the County Council with the involvement of the local authorities, is considered one of the most robust assessments carried out within the region. The Council is more concerned with how that need is met appropriately across the region.

13. It is reasonable that provision that has already been made against that figure (i.e. 2006 onwards, is taken into account when analysing provision towards meeting that figure.

Q3. On the basis of information currently available is it helpful if the RSS revision seeks to establish policy on the level of need for transit pitches? And if so, would it be more helpful to distinguish this provision from the need for residential pitch provision in policy?

Council's Draft Response:

14. The Cambridge Sub-Region Traveller Needs Assessment 2006 (CSTNA) found that there was a pressing need for 'more sites of all kinds (public and private, long stay, and transit)'. There was however preference for long-stay private sites, and the researchers concluded that authorities involved in the survey should concentrate on providing 'long stay accommodation first rather than transit sites or emergency stopping places, neither of which are Gypsy / Travellers preference'. Given the need that exists, and the pressure on existing sites it would be likely that transit sites would be occupied as long-term sites, at least in the short term.
15. The number of transit pitches required is included in the total need figures identified by the CSTNA. Any separate figure would need to acknowledge this. However, it would be more reasonable to allow authorities to determine whether transit sites are the best method of meeting need in their District, or whether the need is best met by other types of site.

Q4. Should this revision seek to establish policy on the level of pitch provision beyond 2011? If so, what assumptions should be used to do this and until what year should they be applied?

Council's Draft Response:

16. It is considered sound to take account of household growth when considering the future need for Gypsy and Traveller sites. However, it must also be noted that if this approach is combined with an uneven distribution of provision to meet existing need (as indicated by distribution option A in the issues and options report), the inequitable distribution will be amplified, and it will perpetuate social, environmental and economic issues and unreasonably restrict Travellers' choice as to where they can live.
17. Given that the emerging RSS covers the period to 2021, it would seem reasonable for the single-issue review to address the same period.

b) Distribution of Provision

18. The report proposes a number of options for the distribution of new pitches across the region. As most need arises from existing provision or unauthorised developments, need is not spread evenly across the districts. There are 48 local council areas in the region, but 45% of the total regional need arises in four local council areas (Basildon, Chelmsford, Fenland and South Cambridgeshire). Options put forward include requiring all local councils to provide at least one new site, which would reduce the provision required in the few authorities with the highest need.
19. Whilst it is not the role of the RSS to identify the exact location of sites, in distributing numbers to local council areas the ability of those areas to accommodate sites must

be considered. For example there may be green belt or environmental designations that limit the land available. There may also be constraints to providing sites in more urban areas.

Q5. To what extent is it reasonable to seek to spread the distribution of pitches for the Council areas from which need is calculated to arise within? Will a more dispersed distribution still meet the needs of Gypsies and Travellers? Would a different pattern of dispersal seeking to redistribute provision from areas of greatest need into nearby council areas be more appropriate than option 2?

Council's Draft Response:

20. The Council considers that it is reasonable to seek to distribute pitch provision beyond the areas it was calculated to arise within.
21. The researchers completing the CSTNA found; "no specific geographical location preferred by respondents, just "more sites anywhere."¹ Historically Gypsies and Travellers have had links to agriculture and horticulture within South Cambridgeshire but with changes in those industries those links are no longer that significant. Gypsies and Travellers are now traders in various commodities and are much less tied to any one geographical place. Access to the trunk road network is now more of a factor than proximity to orchards.
22. There has been a huge rise in numbers of unauthorised caravans from 2002/3 to 2003/4 and beyond. Since 2003, the northern part of South Cambridgeshire has been particularly affected by the arrival of Traveller families who have purchased their own land, many of whom do not have the links to the area that traditional Gypsies/Travellers have and could therefore be accommodated in other areas if provision was made. There was at the time a massive (over 500%) increase in unauthorised Traveller caravans, which did not have planning permission, a number of families have since moved on but there is still ongoing legal action in some areas to rectify breeches of planning regulations.
23. There are significant social issues arising between the settled and the Travelling communities. While South Cambridgeshire has demonstrated that these can be successfully resolved, it is unreasonable for the duty to be carried by a relatively small number of authorities simply because they have taken a reasonable approach to making provision. Further to this the pressing need would be better met if more authorities were addressing the challenge proactively.
24. SCDC has found that taking a responsible approach to making provision for Gypsies and Travellers has had the effect of making the District attractive to this community, particularly where other districts in the region have not made provision. By permitting more than 300 private pitches and, in response to representations from Travellers, identifying land within the Local Plan for Traveller sites, SCDC has properly addressed the need for Traveller sites, and had this approach been mirrored within the Region, the scale of the challenge would be significantly less than it is today. South Cambridgeshire has high numbers of Gypsies/Travellers partly for historical reasons, which no longer pertain, and because it has taken this responsible approach to site provision.
25. Option 1 advocates that 38% of need should be met by three districts out of a total of 48 authorities. This cannot be the most appropriate approach. Whilst the option 2

¹ CSTNA 2006: 28 paragraph 3.7.3

suggested in the issues and options document goes some way towards distributing sites to where they can be accommodated more equitably, it clearly does not go far enough. In this respect, administrative boundaries are given too much weight. For example some districts surrounding South Cambridgeshire have a significantly lower pitch figure, but geographically there may be more scope for providing new sites near to existing popular areas in surrounding districts than within South Cambridgeshire itself. A more sound approach would be to redistribute numbers from the few authorities with the highest needs, across the adjoining districts. This would have the advantage of meeting needs near to where they have been identified, but in a pattern that provides greater social, environmental and economic equity.

Q6. Is it reasonable to accept the principle that each local council area should seek to provide at least one additional site?

Council's Draft Response:

26. The RSS should have regard to meeting the need within the various sub-regions on an equitable basis in order that the pressing need can be met as quickly as possible without undue costs to any one area. This can be best achieved by ensuring that all authorities make provision. It also has the advantage of providing choice, allowing Gypsies and Travellers to locate in a variety of locations as opposed to only a few areas.

Q7. Is there any evidence to suggest that any council area within the East of England could not make provision for a level of pitches in the order of any of those identified for its area in the options provided without having an adverse impact on areas of recognised environmental importance?

Council's Draft Response:

27. Planning constraints to future provision in South Cambridgeshire include the Cambridge Green Belt, which covers 40% of the District, encompassing Cambridge and a number of the District's larger villages where the special needs of Gypsies and Travellers could best be accommodated. The generally open agricultural landscape of South Cambridgeshire; low-lying areas to the north, liability to flooding and a high density of settlements (the District has 102 villages) means that Gypsy/Traveller sites are difficult to accommodate without harming the rural character of the countryside. Circular 01/2006 particularly recognises Green Belts as a constraint in meeting the needs of Gypsies and Travellers. It also recognises that Traveller development needs to respect the scale of the existing settlements to which they relate. The existing concentrations within the District have been recognised by both the Secretary of State and the Courts as having a significantly harmful impact on the neighbouring settlements.
28. Despite the many constraints facing the District, South Cambridgeshire has taken a responsible approach to planning for Gypsy and Travellers. In July 2005 South Cambridgeshire had 291 caravans on authorised pitches, the highest number in the country. This equates to 221 authorised pitches. The most recent caravan count (July 2006) counted 372 caravans on authorised pitches.
29. South Cambridgeshire is also taking a proactive approach to planning for Travellers through its Local Development Framework. This is in advance of the RSS single-issue review, acknowledging the importance of the issue, and advice in ODPM Circular 06/2006 paragraph 43. The South Cambridgeshire Gypsy and Travellers Development Plan Document will identify locations for new sites. A first stage Issues

and Options consultation to identify site selection criteria has been completed, and a second stage focusing on site options will take place in the autumn.

30. The Council does not consider that there are overriding environmental reasons why any authority in the East of England could not accommodate some level of provision. This is demonstrated by the example of South Cambridgeshire, where needs have been met in a responsible manner despite considerable constraints.
31. However, account must be taken of the constraints of accommodating such a high proportion of the need in only a few districts. To require additional provision of 120 pitches in the district, as advocated by option 1, would create a considerable risk of environmental, social and economic difficulties.

c) Delivery and Implementation

32. In this section of the Issues and Options Report, EERA seek views on how additional sites can be delivered. Methods include provision by local councils or registered social landlords, although it notes that provision by councils could be costly to the public purse. Gypsies or Travellers, or private landlords could make provision, but in practice some of the need will not be met through the open market. It may also be necessary to utilise exception sites, where permission would not normally be permitted for housing. On large residential developments it may be possible for local authorities to negotiate the delivery of some element of the overall provision of housing to be in the form of Gypsy and Traveller pitches. However, it is noted that they may receive some resistance from developers, and delivery through this method may take a number of years. The more advanced large development sites are in the planning process, the more difficult it will be to require such a process. In this respect, it is unfortunate that the issue of provision for Gypsies and Travellers was not addressed by the RSS at the outset rather than now.

Q8. To what extent is it reasonable to rely on the delivery of sites either by Gypsies and Travellers themselves or by the development industry?

Council's Draft Response:

33. Consultation with stakeholders in relation to the Councils Gypsy and Traveller DPD revealed a preference for sites owned and managed by the Gypsy and Traveller community. Several success stories exist within the district where Gypsies and Travellers have established successful, attractive caravan sites where residents have integrated well with the settled community. In contrast there have been two closures of Council sites.
34. However, it is acknowledged that delivering the number of sites required will not be easy. In South Cambridgeshire, the council is endeavouring to tackle the issue through appropriate allocations in a development plan document.
35. The Council also considers that there is scope for provision to be made through the major developments taking place in the District however planning for these is at different stages, with many in advance of the planning policy process. Requesting sites through section 106 agreements is proving difficult without the policy framework in place to evidence the need for such provision. The local planning authorities would welcome guidance for developers from central government in order to ease this negotiation process.

Q9. In view of the potential scale of pitch provision needed in the East of England and constraints on public funding available is it reasonable to suggest that most of the need identified is likely to have to be met by provision on 'exception' or other sites that would not normally be granted planning permission for other forms of housing?

Council's Draft Response:

36. It is likely that a number of sites will need to be provided as exception sites in the countryside. South Cambridgeshire District Council is developing appropriate site selection criteria through its LDF, to enable it to identify the most suitable sites for allocations, but also to enable it to effectively judge windfall proposals.
37. The Council also considers that there is scope for provision to be made through the major developments taking place in the District. This means that some provision may be made on land that would potentially be granted permission for other forms of development. However, planning on many of these sites is relatively advanced and this makes requiring such sites difficult.

Q10. In view of the scale of potential need for new sites identified is there a need to develop new means of developing Gypsy and Traveller sites such as through the establishment of some form of specialist delivery vehicle?

Council's Draft Response:

38. There may be more of a role for assisting Housing Associations to deliver and manage sites. Currently only two housing associations operating in South Cambridgeshire work with Travellers sites. Further guidance for Housing Associations on how to manage Gypsy/Traveller sites would be an advantage and would also provide local planning authorities with more choice when they come to look at alternative management options.

d) Travelling Showpeople

39. Consultation on revised planning guidance in relation to Travelling Showpeople by DCLG proposed that RSS reviews should identify the number of pitches required for each planning authority for travelling showpeople.

Q11. In light of the draft circular on Travelling Showpeople, is it appropriate for the revision to seek to identify the number of pitches that should be provided in each local council area to meet the needs of travelling showpeople separately from those to be provided to meet the needs of Gypsies and Travellers? If so, what evidence is available to inform this and what other issues should be taken into consideration?

Council's Draft Response:

40. There are two existing sites in South Cambridgeshire. The need identified in the CSTNA was for only five additional pitches across the nine administrative areas. It would be more appropriate to include the numbers in the total provision figure, and contribute accordingly. If a need for a site for Travelling Showpeople is apparent in an individual district, provision of a site for travelling showpeople can then contribute to achievement of that total.

41. **Implications**

42. Financial	There are no additional financial implications arising from the RSS review. Cabinet agreed on 12 January 2006 to fund the production of the GTDPD, taking funds from the Travellers budget. Work on the RSS review is incorporated in that budget.
Legal	The Council will be obliged to amend its Local Development Framework documents to reflect any changes in policy in the revised RSS.
Staffing	The Council is already working towards production of a Gypsy and Traveller Development Plan Document. Staff resources will be required to enable the involvement of the Council in the RSS Single Issue Review.
Risk Management	The preparation of the GTDPD adds to an already very heavy workload in Planning Policy and for the corporate projects officer. Resources will need to be carefully balanced to ensure responses are sent to the RSS review and the GTDPD is kept on schedule. To delay or withdraw would risk planning applications being submitted without adequate planning policy guidance in place and call into question earlier enforcement action, which has in part been supported by the positive approach the Council, has taken to planning for Travellers.
Equal Opportunities	In line with statutory duties under the Race Relations Acts and Disability Discrimination Acts, this Council's operates both a Race Equality Scheme and a Disability Equality Scheme (the latter considered by the Council on 23 November 2006). Travellers represent the biggest ethnic minority in the district (1% of the population) and suffer disproportionately high levels of ill-health and disability. <ul style="list-style-type: none"> a) The Council is committed to treating everyone fairly and justly, whatever their race or background. b) The Scheme gives priority to actions relating to Travellers as the biggest ethnic minority in the district (around 1.0% of the district's population). Planning is identified as being amongst the services most relevant to promoting race equality.

Consultations

43. The Strategic Officer Group – Traveller Issues and the Planning and Economic Development holder have been consulted on this report.

Effect on Annual Priorities and Corporate Objectives

44. Affordable Homes	The need to address Gypsy and Traveller issues has implications for all three Council priorities and all four corporate objectives. This is also reflected in the Council's policy on Traveller issues, agreed July 2004. The production of the GTDPD is central to identifying how and where Gypsy and Travellers' housing needs can be met. The document will look at public/private provision of sites, location, relationship to settlements and effects on neighbouring uses amongst other issues. The RSS review will have a significant impact on the final level of provision to be met and the location of pitches in the district and across the East of England.
Customer Service	
Northstowe and other growth areas	
Quality, Accessible Services	
Village Life	
Sustainability	
Partnership	

Conclusions/Summary

45. A review of the RSS was necessary to provide direction to local planning authorities on how they should be meeting the needs of Gypsies and Travellers. South Cambridgeshire District council is already part way through producing a specific Gypsy and Traveller Development Plan Document, which will provide a policy for the Council to use in assessing provision and location of future sites. The comments made in this report as responses to the consultation are in line with the GTDPD and seek to direct EERA in to a more equitable solution for all the authorities involved.

Recommendations

46. Cabinet is recommended to:
- (a) agree the responses to the Regional Spatial Strategy Single Issue Review Issues and Options Report to be submitted to EERA, and
 - (b) recommend this report to Council for endorsement before it is sent to EERA as the Council's final response to consultation on the RSS review.

Background Papers: the following background papers were used in the preparation of this report:

- Issues and Options paper relating to the proposed revision to the Regional Spatial Strategy to address provision of Gypsy and Traveller Caravan Sites in the East of England May 2007
<http://www.eera.gov.uk/consultation/consultationview.aspx?GUID=SAqkTIAvq7yhiGjXqHD2nSnrB4zSFIsR%2b68LxlQhB2Y%3d>
- Cambridge Sub-Region Traveller Needs Assessment May 2006
http://www.scamb.gov.uk/documents/retrieve.htm?pk_document=904533
- Circular 1/2006 Gypsy and Traveller Site Provision

Contact Officer: Jonathan Dixon - Principal Planning Policy Officer
Telephone: (01954) 713194

Kirsty Simmons - Corporate Projects Officer
Telephone: (01954) 713297