Appendix B

South Cambridgeshire District Council

DRAFT RESPONSE (AS AT 23 FEBRUARY 2005)

to ODPM consultation paper on "Planning for Gypsy and Traveller Sites"

Page	Para	Comment
7	-	It talks about the reasons for shortage of sites and the inescapable need for creating new ones. The fine particulars of site design are crucial to their success, in terms of integration into the surrounding area. It lays down a number of guidelines that are insensitive to such particulars, and this will only result in lost opportunities. For example, there is inadequate reference to the important role of innovative social housing. The issue of how to assist members of the travelling community who wish to take steps toward settled lifestyles should be better articulated. This may involve existing forms of social housing, or indeed new ones such as permanent group-style housing such as that promoted by the Novas Group and tried successfully in the Republic of Ireland and then in Northern Ireland (and cited in the report of the Select Committee). [SvdV]
8	3	The size of sites matters and should be a material consideration for planning applications and appeals. Large sites have an adverse impact on the local environment and infrastructure (e.g., severe pressures on schools and GP surgeries). The human rights/needs of local households and the indigenous travelling community should not be overlooked. They can feel threatened, frustrated and helpless by unplanned settlements being endorsed via planning appeals". [Meldreth Parish Council]
8	7	Paragraphs 7 and 22 emphasise the importance of '*communication between local authorities and the communities, with particular reference to the Gypsy and Travelling community.* In both paragraphs, specific directives for communication with the crucial third party – the settled community – are absent. All parties should be included and kept informed at the various stages of planning to ensure the greatest chance of a successful outcome. [SvdV]
9	10	With regard to the last bullet point, there is no mention in the rest of the document about any explicit power given to local authorities that had complied with this circular that would enable them to be more effective in their enforcement. [TW]
10	12	The definition is basically a self-assessment that seems to open up the option of numbers of people who would like to move around the country deciding that they are "travellers"?
10	12-13	It excludes "*travelling show people or circus people"* because *"planning advice relating to travelling show people is given in DoE Circular 22/9.1"* This is a weak explanation, and reflects a failure to bring an up-to-date look at the broad travelling community. Indeed all sectors of the travelling community should be brought under the umbrella of this new circular, which after all is an attempt to redress a number of shortcomings in the wide problem of site provision. Travelling show people face many of the same problems as, and share similar needs to, other sectors of the travelling community. Like Gypsies and other travellers, show people are gradually adopting a more settled lifestyle. [SvdV]

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10	14	The reliability and comparability of caravan counts are questionable, and it is doubtful whether they really provide evidence of need for sites in particular areas. [MM]
10	15-17	The overall approach seems at odds with the treatment of mainstream groups in society. Although planning takes account of mobility issues, surely provision is not so automatic and takes much more account of capacity rather than allowing development in proportion to preferences.
10-11	18-20	Tacking the travellers' needs assessments onto the general needs assessments seems impractical. The methodologies will be quite different. Conventional needs assessments are generally small sample surveys - often postal, which are adequate for the overall population but won't pick up small minorities. In effect, it will be a separate exercise and, if it is carried out at a local authority level, it is likely to happen at different times. As a result, mobile populations could be either double counted or missed. Would it make sense for the regional housing board to do one snapshot exercise itself covering a wide area in order to minimise this problem?
11	20	This paragraph is odd. It starts talking about sites and ends talking about policies - it reads like two ideas that have merged
11-12	21-23	Support for SCDC's existing position that "There needs to be a clear national policy on traveller sites. The Government cannot expect individual councils to cope on their own when faced by a huge influx of travellers in a single locality." [Meldreth PC]
11	23	RHS does not appear in the glossary and is not defined until paragraph 2 of Annex D. [TW]
12-16	-	The "guidance" on site provision is nonsense - with relaxations and exceptions liberally applied to make sure that any inspector will be able to override almost any refusal of permission. [MM]
14	38	Why should it be acceptable for Travellers not to have to bother about availability of means of transport other than private cars for accessing services and facilities when this is a key plank of the ODPM's "Building Sustainable Communities" philosophy? There is considerable resentment in Rampton, for example, that a site in the centre of the village was refused permission, on appeal, for eight houses (three or four to be affordable) but a site for eight caravans on the outskirts of the village was allowed on appeal. [TW]
14	38	Concentration of sites and pitch size of individual sites are of well-known importance to the travelling and settled communities alike. In fact, this is one of the key areas upon which the two communities see eye-to-eye. This paper does not respect the importance of these criteria, and in fact provides contradictory directives. Paragraph 38 states that "*sites should respect the scale of and not dominate the nearest settled community serving them."* Similarly, Annex C, number 8, states that sites should *'be of a size to allow integration into the local community.'* Both of these principles are then contradicted in Annex C, number 9, *'Criteria which are unacceptable: "There shall be no more than [x] caravans."* Also: *"The site, either on its own or in conjunction with other sites in the area does not result in over-concentration.')* [SvdV]

Page	Para	Comment
14	40	Could this guidance on mixed land use lead to a dilution of controls against scrap or reclamation businesses – ignoring the resultant environmental damage to the Green Belt and open countryside. The problem already exists, with local examples of heavy goods vehicles staying overnight loading and unloading tons of metal. PVC insulated cable is burnt on open fires with pollution of the atmosphere. [MM]
15	45	It does not acknowledge the need to control and eliminate criminal activity and the anti-social behaviour of some travellers. The reference to "peaceful and integrated co-existence" is meaningless to existing village residents who have to suffer from lawless behaviour in their streets, shops and pubs. [MM]
17	55	Incompatibility of certain sectors of the travelling community: show people and Irish travellers are socially incompatible and should not be asked to live side-by-side. Leaving show people out of the parameters of this circular means allowing the potential for inadvertently situating them adjacent to people with whom cooperation is unlikely. The Race Relations Act cited in paragraph 55 states that '*authorities [should] seek to promote good race relations.'* Building bridges between communities should be encouraged, but inadvertently putting incompatible groups of people into a common living situation is insensitive and will exacerbate, rather than alleviate, existing problems. [SvdV]
17	56	There can be no possible justification for weighting determination of planning applications for the purpose of seeking some sort of proportionality of refusals to ratio of population of applicants from any ethnic minority. [TW]
23	9	The proposal does not include the recommendation of the Select Committee that sites need to be kept small and proportionate to village communities with a maximum of 18 pitches. This is a recommendation made by MPs, the Gypsy Council and the Travellers' Law Reform. The proposal comments that it does not want to give hard and fast rules on site size, as this is arbitrary. However, open-ended statements, such as *"being of a size that enables integration"* is equally arbitrary and does not meet the government's objective of creating "certainty" in the planning process. [Meldreth Residents Association, with similar points made by Meldreth PC]
23	9	We agree with the Government's view that "any control over size should be a matter for local planning authorities and made in relation to local need, amenity and environment and that site size could be controlled by planning conditions associated with any planning permission." However, we are concerned that, in our experience, inspectors appointed by ODPM can overrule the local planning authorities in such issues. There needs to be a better balance between the rights of the settled community and the travelling community. [Meldreth Parish Council]
23	9	When it says, *"Any maximum should be reached through planning conditions but should be related to circumstances of the specific size and location of the site and the surrounding population size and density"*, what does "surrounding" mean. Similarly, when it says *"The site, either on its own or in conjunction with other sites in the area does not result in over-concentration.'…This is arbitrary and is not set by reference to local circumstances"*, again, define "local". [TW]
26	8	Is it saying that LDF inspectors will be given power to allocate sites? If so, on what grounds? Is the same power given to the Secretary of State in paragraph 9?

Page	Para	Comment
29	4	One of the reasons criteria-based policies are not so ideal as is sometimes claimed is that travellers are unlikely to resist moving on to sites they have purchased before applying for planning permission to do so. And if they were to wait for planning permission before buying a piece of land, they know they would have to pay more for it should planning permission be granted. [TW]
36	26	This Council should be able write a comprehensive paper on costs. Some subjects come to mind: enforcement; building regulations; council tax collection; benefits; policing; service provision etc. [MM]
38		The glaring major omission from this document concern the human rights of **residents** to peaceful enjoyment of their properties and village facilities and protection from the law of the land applied **equally** without exception. “Equity and Fairness” says nothing about the law-abiding tax paying public. [MM]
38	40	The Regulatory Impact Assessment understates the drawbacks of the proposed new guidance, though perhaps the most telling "Risk" identified is "that planners do not implement the recommendations of the new guidance and that the current decision-making process remains unchanged." [TW]
41	57	The assessment of Option 3 (New Circular) seems to be based on no more than wishful thinking that this guidance will solve the problems. Where is the evidence to back up this notion? [TW]

Key to contributions from Members:

MM = Councillor MJ Mason
SvdV = Councillor Dr S van de Ven
TW = Councillor TJ Wotherspoon