

**COUNCILLORS' BULLETIN
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**South
Cambridgeshire
District Council**

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GOVERNMENT ANNOUNCEMENT ON COUNCIL TAX CAPPING PLANS

Following the announcement in the House of Commons by the Local Government Minister on 23 March 2005, the Chief Executive has received a letter from the ODPM (Office of the Deputy Prime Minister). Basically, this says that (whereas SCDC is looking to increase spending on services in 2005/06 by just over 6%), the ODPM wants us to reduce this spending by 24%. These provisional ODPM plans are based on capping our budgets back to £10.35 million, requiring savings in 2005/06 of £3.5 million.

The Council Leader's initial views are that this threat of capping is unjust and inappropriate. The Council will do all it can to safeguard the interests of South Cambridgeshire. It is vital that the Council is not obstructed in maintaining good quality services for residents. A copy of the news release, setting out the Council's initial reaction to the ODPM's announcement is copied below. This has been sent to both local and national media organisations and is available on the Council's website.

The Council will be developing its response to the ODPM within the next three weeks (by 13 April 2005). If any parish council or other local organisation has it in mind to write to the Local Government Minister about this issue within this three-week period, the address is: Rt Hon Nick Raynsford MP, Local Government Minister, Office of the Deputy Prime Minister, 26 Whitehall, London SW1A 2WH.

The District Council would appreciate a copy of any letters that are sent (addressed to John Ballantyne, Chief Executive, South Cambridgeshire District Council, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge CB3 6EA).

Answers to frequently asked questions about the 2005/06 Council Tax are available on the Council's website: www.scambs.gov.uk - click on 'inside the council' then 'council tax and business rates'.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL NEWS RELEASE

Wednesday 23 March 2005

Services at risk from capping, warns Council

“This is a bad day for common sense and for vital public services for local residents.” This was the reaction from Council Leader, Daphne Spink MBE, to a Government statement today that South Cambridgeshire District Council has been designated for council tax capping in 2005/06.

The Council Leader has levelled four main criticisms at the Government's statement.

“Firstly, it shows scant regard for the needs and wishes of South Cambridgeshire residents and the Government's own official requirements,” said Councillor Spink. “In spite of major service pressures - many of them a direct result of Government targets – the Council has managed to keep the increase in spending on services down to just over 6% next year. This will help fund essential services and promote local priorities for affordable housing, a sensible and sustainable approach to development, and improved customer services. Instead, we are now being told to reduce spending by 24%. At the same time, the Government expects South Cambridgeshire's population to rise by 33% by 2016. In addition, South Cambridgeshire is having to deal with a huge increase in the number of unauthorised traveller encampments – which have gone up six-fold in recent years – with little practical support and no funding from the Government. I'm afraid that Mr Prescott and his team are being entirely unreasonable.

“Secondly, we are all aware of the mantra of ‘doing more with less’, but this is ridiculous.

The level of Government grant for services provided by South Cambridgeshire District Council has reduced by one third in real terms over the last ten years. During that same period, the Council has subsidised the amount that local households have been charged for services by drawing on our reserves. Those reserves are now reaching minimum safe levels for financial prudence. Last year, the Audit Commission praised this Council for having ‘clear ambitions for the district, focused particularly on the quality of village life and delivering good services to local people over a number of years.’ With today’s announcement of council tax capping intentions, the Government now seems to want to get blood out of a stone.”

“Thirdly, Mr Prescott’s department is not listening,” Councillor Spink continued. “Over the last five months, we have tried to engage the Office of the Deputy Prime Minister in a constructive dialogue about the difficult issues faced by the District Council in the context of massive pressures for population growth. However, the ODPM has ignored the reality of the situation and the facts that we have presented to them. The facts are:

- The District Council’s tax level has not increased for the last three years;
- In 2004/05, our charge was the fourth lowest of all district councils (£70 for a Band D household);
- Band D households in average districts have had to pay £176 **more** to their district councils over the last three years, compared to those in South Cambridgeshire;
- Even with the Council’s increase to a £140 charge in 2005/06, we will still be below the national average for district councils; and
- 60% of respondents to our district-wide consultation last autumn stated that they would be prepared for the Council to levy a Band D charge of £140 or more in 2005/06. The other 40% preferred £120, but that still represents a recognition of the need for a significant increase.

“Fourthly, the Government is playing politics. I have been increasingly bemused by statements emanating from the Office of the Deputy Prime Minister that this increase is because we are a Conservative-controlled Council. This is a complete red herring. The fact is that this is a hung council and, as such, decisions are made by carefully considering issues and reaching a consensus. The Council’s decision to increase its part of the council tax in 2005/06 drew support from councillors across all political groups.”

South Cambridgeshire is one of nine local authorities identified by the Local Government Minister, Nick Raynsford MP, in a statement to the House of Commons today. The announcement signals the Government’s intentions for capping, but the District Council has 21 days in which to respond. No formal decision on council tax capping will be made until an Order is placed before Parliament, which is likely to happen shortly before the summer recess at Westminster in July.

“They have clearly got it wrong,” concluded Councillor Spink. This threat of capping is inappropriate and unjust. We will do all we can to safeguard the interests of South Cambridgeshire. It is vital that we are not obstructed in maintaining good quality services for our residents.”

- ends -

For further information please contact the communications team at South Cambridgeshire District Council on (01954) 713200.

2005/06 COUNCIL TAX BILLS: FREQUENTLY ASKED QUESTIONS

LEVEL OF COUNCIL TAX

Does this mean that my overall council tax bill is going up by 100%?

No, just the District Council's component, which will represent around 11% of the overall bill for 2005/06. The rest of the bill is made up of charges from Cambridgeshire County Council, the police and fire authorities and your local parish council.

At what level has the District Council set its part of the Council Tax for 2005/06?

£140 for a "Band D" home, which is equivalent to only £2.70 per week in total for the District Council's full range of services. The exact amount that your household pays will depend on your home's value, which comes under one of the eight current valuation bands. 'Band A' represents 6/9ths of 'Band D' and 'Band H' is 18/9ths.

How much will I have to pay?

The average overall 'Band D' bill for 2005/06 in South Cambs will be £1215.57 (including an average parish council precept of £45.98). The size of your actual bill will depend on the specific amount charged by your parish council and the valuation of your home.

Is the District Council doubling its spending?

No. Although our charge is doubling, Council spending is set to rise by only 7% in 2005/06. This is in spite of the fact that the costs of extra service pressures - such as new housing, population growth and traveller issues - outstrip recent increases in government grants. This increase in spending takes account of: inflation; inescapable costs (such as additional waste collection rounds for an increased number of homes in the district); and spending on the Council's priorities of affordable housing, preparations for new settlements (eg Northstowe) and improving customer service.

At what level have other Cambridgeshire districts set their part of the council tax?

'Band D' levels: Huntingdonshire £106.54; East Cambs £115.47; Fenland £203.13; Cambridge City £136.92.

REASONS FOR THE INCREASE

Why has the District Council's charge increased?

The District Council's charge has to increase largely because we have to reduce the amount by which we subsidise the council tax. We have provided a subsidy for many years. This is currently around £4 million in 2004/05, and means that 'Band D' households pay only £70 whereas the actual cost of services to the Council is around £145. We can no longer afford to make this level of subsidy in future. Otherwise, this would reduce our reserves to below what is recognised as a safe minimum level.

Why has the Council not done something about this before?

Some years ago, external auditors told the Council that its reserves were too large, so we have eaten into these balances since then in order to reduce the council tax payable by local households. The Council has always made it clear to residents, both via its community publication 'South Cambs magazine' and the local media, that there would come a time when the council tax would have to go up.

How can the increase in the District Council's charge be justified?

It's important to look at this increase in the context of how much the District Council has charged previously. The increase to £140 in 2005/06 follows a three-year period during which the District Council's charge has stayed at the same low level (£70 for a 'Band D' home). 'Band D' households in average districts have had to pay £176 more to their district councils over the last three years, compared to those in South Cambs. In 2004/05, we currently have the fourth lowest charge of all district councils nationwide. Even with this increase to £140, we will still be below the national average 'Band D' charge for district councils, which is expected to be £143 in 2005/06.

Why aren't the other parts of the bill having to go up as much this year?

Whilst the District Council's part of the council tax has stayed at the same low level for each of the last three years, the other precepting authorities have had to increase their charges significantly during this period.

Why has the Council chosen to put the bill up so much this year rather than a gradual increase?

Previously, the Council was following a three-year strategy of keeping its charge at the same low level. This time last year, the Council made clear that the charge would need to rise significantly for 2005/06.

Did the District Council consult local people before increasing its charge for 2005/06?

Yes. A four-page consultation paper was sent to all households in the district in September 2004 along with the Autumn '04 edition of South Cambs magazine. The Council received around 2,500 replies, which is a very positive response rate to a postal questionnaire. 60% of respondents who chose from the viable council tax options offered stated their preference for a 'Band D' charge of £140 or more in 2005/06. These results were featured in the Winter '04 edition of the Council's magazine.

COMMON MISCONCEPTIONS

Is the increase needed to pay for the Council's new offices or the Contact Centre?

The main reason why the District Council's charge has had to increase is because we have to reduce the amount by which we subsidise the council tax. Whilst the Council has incurred some extra costs by moving to new offices at Cambourne and through the introduction of the new Contact Centre, these are not the main reasons why our part of the council tax is going up. It would have cost the Council more to bring our old offices up to modern standards than the move to our new offices. Even then, our old offices would not have been able to accommodate all our service needs. Instead, we have opted for a new, fit-for-purpose and energy efficient building, bringing most services under one roof. The investments that we have made in forward-thinking technology will enable us to provide better and more efficient customer services.

Is the increase due to the £580,000 "missing" from the Direct Labour Organisation?

No. It is important to point out three things here. Firstly, the main reason why the District Council's charge has had to increase is because we have to reduce the amount by which we subsidise the council tax. Secondly, it is not the case that any money has gone missing; rather a shortfall in the recharges made by the Direct Labour Organisation – in carrying out the home repairs service – has been identified and is being addressed. Thirdly, the council tax is not affected by this shortfall. The housing repair service is funded from the separate Housing Revenue Account, rather than the Council's General Fund from which other Council services are funded.

Is the increase to pay for the money spent on legal action against travellers?

No. Whilst the Council has allocated some money for direct enforcement action in 2004/05 – if travellers in breach of planning regulations fail to comply - this is not the main reason for the increase. The key factor is that the District Council has to reduce the amount by which we subsidise the council tax.

Does this increase mean the Council must be wasting money?

No. The Audit Commission's Comprehensive Performance Assessment of this Council last year reported that we are good at meeting the current needs of local people. The Council has far fewer staff than many councils serving a similar size of population. Even with an increase to a £140 'Band D' charge in 2005/06, the District Council's part of the council tax is still expected to be below the national average.

Why does the council keep sending out glossy magazines? Couldn't the money be put to better use?

Apart from the Council Tax leaflet, which is a statutory requirement, the only other Council publication to all households is the quarterly South Cambs magazine. This is largely funded by

advertising. In our most recent readers' survey, around 83% said that it was their preferred means of receiving information about the Council.

POSSIBILITY OF COUNCIL TAX CAPPING

Is the District Council going to have its council tax capped by the Government?

The Government has declined to announce what its capping criteria may be for 2005/06 before local authorities have set their council tax levels. In setting the 'Band D' charge at £140 for 2005/06, SCDC councillors did take account of a statement from Local Government Minister, Nick Raynsford MP, that this could leave the Council very exposed to the risk of capping. We are likely to hear by the end of April whether the Government intends to cap this District Council. If so, we would then have until the end of June to make our case.

What is the Council's view about council tax capping?

At the Council meeting on 24 February 2005, councillors expressed their concern that that the Council is being put in an invidious position. The Council has already asked the Office of the Deputy Prime Minister to reconsider setting capping criteria based on a percentage increase without putting this in the context of the overall amount that the local authority is charging. At £140, the Council's charge is still due to be below the national average for district councils in 2005/06.

What would the District Council do if it were capped?

The Council would appeal against any capping measures. While we recognise the need for the Office of the Deputy Prime Minister to take a broad, national approach, the whole concept of local government recognises that there are important differences across the country. The District Council believes that there are exceptional circumstances in South Cambridgeshire at this time – not least, the requirement for the district's population to grow by 33% by 2016.

UNWILLINGNESS / INABILITY TO PAY

What would happen if I refuse to pay this increase? What would happens if I withheld £x because I disagree with how the Council is spending its money?

You have a legal obligation to pay the council tax. If you did not pay the whole of each instalment when it is due, the Council would take its usual course of action to recover the unpaid money from you. First of all, you would be sent a reminder notice. If you still refused to pay, you would be summoned to the Magistrates Court. At this stage you would also have to pay legal costs.

If the council tax is likely to be capped, can I hold back paying my bill until a new, lower one is sent out?

Legally you must pay the bill that you receive in March. If you do not pay the Council will take normal action to recover the money you owe. If the Council is capped new bills will be sent to all households and will show the reduced amount to pay.

I am on a low income. I can't possibly afford to pay an extra £70 – what is the Council doing to help me?

If you are on a low income, you might be entitled to council tax benefit, and also housing benefit if you rent your home. You will need to complete a claim form to apply for benefit. If you have difficulty in completing a form, we can help you with it.

- If you live alone, you will be entitled to a 25% single person's discount
- If you have a disability, you may be entitled to a reduction in your bill

DECISION-MAKING PROCESS

Who is responsible for agreeing this increase?

The full Council of all elected councillors. The Council set its 'Band D' council tax charge for 2005/06 at the Council meeting on 24 February 2005.

What was the result of the vote?

Thirty-two members voted in favour of the Cabinet's recommendation to set a 'Band D' charge of £140 for 2005/06. 16 opposed the proposal; two abstained and two didn't vote.

How did my local district councillor vote?

A recorded vote - of how each councillor voted - was not requested, so these details were not gathered at the time and are not available.

Who is my MP?

Visit www.scambs.gov.uk and click the **modern-gov** button on the right-hand side of the page. Follow the link at the top to Your MPs.

Who is my District Councillor?

Visit www.scambs.gov.uk and click the **modern-gov** button on the right-hand side of the page. Follow the link at the top to Councillors.

COMMENTS OR COMPLAINTS

Can I make a complaint to the District Council about this level of increase?

You can certainly write to the Council or contact your local councillor about your disagreement with the Council's decision. As it is not a complaint about a Council service or lack of services, it will be dealt with separately from the Council's complaints procedure.

- Call 08450 450 500 and ask for a copy of the complaints and comments form – also available online.
- Contact your local councillor.
- You can also write to the Office of the Deputy Prime Minister, 26 Whitehall, London, SW1A 2WH.

TRAVELLER ISSUES

In the last week, the District Council has responded to the ODPM's consultation paper on "Planning for Gypsy and Traveller Sites". A copy of the news release about the response is copied below and can also be found on the Council's website, www.scambs.gov.uk. Two appendices, which set out the Council's overall views and comments on specific points of detail, are also copied below.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL NEWS RELEASE

Council calls for national approach to Traveller Issues

Released on 21/03/2005 17:02:00

South Cambridgeshire District Council has called on the Government to develop a clear and co-ordinated national approach to Traveller Issues, backed up by national funding.

This is the one of the main messages in the Council's response to a consultation paper from the Office of the Deputy Prime Minister (ODPM) relating to "Planning for Gypsy and Traveller Sites".

"The ODPM's consultation paper is a curate's egg - good in parts," said Council Leader, Daphne Spink MBE. "The Council welcomes the official recognition that the existing planning system needs an overhaul. Loopholes in current planning law have exacerbated the problems of illegal traveller encampments in recent years. We are also acutely aware of the importance of addressing the needs of travellers and gypsies, who have a lower life expectancy and higher infant mortality than any other section of society.

"At the same time, the Council is concerned that the ODPM's consultation paper does not balance its laudable aims for traveller welfare with realistic controls to meet the equally important rights of the settled community," Councillor Spink continued. "The draft guidance is unlikely to prevent what has happened in the past at Smithy Fen, Cottenham from happening again elsewhere."

The Council's response to the consultation paper also highlights the following key points:

- there should be a duty on all local authorities to make provision for travellers, not just those districts, like South Cambridgeshire, which are already taking on more than their fair share
- travellers should have to demonstrate their identity and proof of genuine need. The scope of the guidance should be extended to encompass show people - their needs are just as great
- there is too much reliance on existing enforcement powers, which have proved inadequate
- there are no guidelines in the consultation paper on the size and density of traveller sites.

These views reflect the Council's considerable experience on Traveller Issues. The Council has granted permission for over 300 pitches. Working closely with parish councils and other partners, the District Council has enabled the local traveller population to gain access to education and health facilities and to integrate with local communities.

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For further information contact the communications team at South Cambridgeshire District Council on (01954) 713200.

Overall comments on consultation paper from the Office Of The Deputy Prime Minister

"PLANNING FOR GYPSY AND TRAVELLER SITES"

A revision of Circular 1/94 is long overdue and is welcomed.

1. Fundamental weaknesses in the current national guidance mean that it has proved to be inadequate at a local and national level in controlling unauthorised developments. This is particularly the case in the context of significant migratory movements of travellers that have occurred in the last few years. It is largely because of these flaws in planning law that the Council has had to spend in the region of £200,000 in 2004/05 alone on Traveller Issues, and could face similar costs in 2005/06. This presents major workload pressures for both councillors and staff. In addition, there are considerable opportunity costs in terms of the services on which the Council would, otherwise, be able to focus more fully. Even these expenses do not take account of the significant extra costs of any direct enforcement action that might be necessary in future if those travellers who are in breach of planning regulations continue to disregard the law. The Council has allocated a further £450,000 for this in 2005/06.
2. Changes are also needed to address the fact that this district and a number of others have become a 'honey-pot' for traveller incursions in recent years. This Council has responsibly addressed the needs of travellers and gypsies while many others have not. Working in partnership with parish councils, this Council has granted permission for over 300 pitches, enabling the local traveller population to gain access to education and health facilities and to integrate with local communities. In response to representations from traveller groups, the Council has also identified Green Belt land within the district where traveller sites would be considered acceptable.
3. The current system suffers from damaging inconsistencies. For example, the Deputy Prime Minister has called in and refused proposals for housing development in the infill village of Rampton - on the grounds that it would be contrary to national sustainability policies – only for the Planning Inspectorate, a year later, to approve eight traveller pitches on a site outside the village framework.
4. The Council is also acutely aware of the importance of addressing the needs of travellers and gypsies, who have a lower life expectancy, higher infant mortality and lower academic level of achievement than any other section of society.

The ODPM consultation paper is a 'curate's egg'.

5. It is good in the parts that could allow the travellers access to better health and educational opportunities and a clearer assessment of their housing needs. Indeed, it is our experience that, before the influx of Irish Travellers, the local gypsy population had settled down and generally been accepted without significant problems.
6. In other respects, however, the consultation paper is very disappointing. The draft guidance is unlikely to prevent what has happened in the past at Smithy Fen, Cottenham from happening again elsewhere. It represents a missed opportunity to put right the deficiencies of Circular 1/94 by eliminating the significant on-going (and basically unproductive) costs that an increasing number of local authorities are having to bear in relation to Traveller Issues.
7. The draft guidance is unlikely to reduce the protracted and expensive legal disputes or to restore good community relations. In the context of the Gershon requirements for year-on-year efficiency savings, this consultation paper is unlikely to promote increased value-for-money and improved effectiveness.

It doesn't strike the right balance

8. The principle problem with the draft guidance is that it does not balance its laudable aims with realistic controls to meet the equally important rights of the settled community to have their communities protected from large, unplanned incursions, which place unacceptable demands on limited local resources.
9. There are ten main shortcomings with the ODPM's approach to planning controls.
 - 9.1 **Traveller issues are a national problem to which there needs to be a national approach.** Given that the consultation paper recognises the national mobility of travellers, it is illogical to expect individual local authorities to deal with these problems at a local level.
 - 9.2 **A clear national policy on traveller issues should be backed up with proper funding.** Households in local authority areas that are affected by unauthorised traveller encampments should not be expected to foot the bill for dealing with the resulting increased service demands / pressures on local facilities and the costs of necessary enforcement action. Where there is a disproportionate impact on a local authority caused by a national problem, the costs should be borne by national taxation. Since central government has, rightly, adopted this approach to councils faced with the arrival of a large number of asylum seekers, it follows that the same principle should apply to those councils facing significant traveller issues.
 - 9.3 **There needs to be effective co-ordination at national and regional levels to support the work of local authorities.** For instance, there should be clear national and regional databases to monitor traveller movements and the location & scale of illegal encampments. This should be used to co-ordinate the availability of authorised traveller sites and planning enforcement action against relevant unauthorised development. The databases should also record details of who the travellers are, in the same way that all other residents are expected to take part in a nationwide census.
 - 9.4 **There should be a duty on all local authorities to make provision for travellers.** Credit should be given to those districts, like South Cambridgeshire, where significant provision has already been made available. The consultation paper does not address the 'honey-pot' effect, which places more burden on those councils that are doing more than their fair share and not spreading the load fairly across local government. An over-concentration of traveller sites in particular districts has a significant impact on limited rural resources (eg. education and health services). In addition, the need for traveller sites, as identified in regional spatial strategies, runs the risk of being arbitrary and unfair, based on numbers of nationally mobile travellers who claim to be in need of a site, unqualified by any other consideration.
 - 9.5 **The definition of a "traveller" needs to be revised, with a requirement for travellers to demonstrate their identity and proof of genuine need.** (For example, it seems perverse that some people can still be classified as travellers when they already have significant property holdings elsewhere – where they already have access to education, health and social services). This revised definition and new stipulation would overcome current difficulties in proving land ownership and title. It would also be consistent with existing national planning policy that requires anyone seeking planning permission for agricultural dwellings in the countryside to provide evidence of essential need.
 - 9.6 **The definition should also be extended to encompass travelling show people.** Their needs are just as great as other travellers. They already have to provide proof of membership of the Showmen's Guild. Show people provide a good example of how travellers can live in harmony with the local community.

- 9.7 ***The consultation paper places too much reliance on existing enforcement powers, which have proved inadequate.*** There are no other changes, apart from the immediate stop notice and a statement that councils should have 24-hour enforcement cover. We already have 24-hour cover and have served stop notices with immediate effect, yet it has made no difference.
- 9.8 ***It provides no guidelines on the size and density of traveller sites.*** This is particularly disappointing, given the overwhelming desire by all parties to avoid concentration beyond a specific number. The size of sites matters and should be a material consideration for planning applications & appeals. Large sites have an adverse impact on the local environment and infrastructure (e.g., severe pressures on schools & GP surgeries). The number of pitches should be kept in proportion to the households in the village. It is also important to recognise that 'infill villages' have limited capacity for further development. In addition, in order to minimise land-take, there should be guidance as to the density of traveller sites, in the same way that PPG3 sets out minimum densities for housing.
- 9.9 ***It does not recognise important practical constraints and resource implications for councils.*** Identifying specific sites means pre-owning or controlling them or acquiring (control of) them. However, the consultation paper does not properly set out what local authorities can reasonably be expected to do where:
- the locational criteria, set out in the consultation paper, point to the edge of settlements, where the acquisition value is likely to be based on (higher) caravan site value rather than agricultural land value; and
 - councils (like South Cambridgeshire District Council) have no surplus land of their own available for use as traveller sites.
- 9.10 ***It still seems weighted against the equally legitimate interests of householders.*** Public confidence in the fairness and consistency of the planning process is not going to be enhanced by allowing retrospective permission in cases where there has been a disregard of the planning process. 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. In these circumstances, it is difficult to know how councils are to be expected to strengthen community cohesion between travellers and householders when the settled community is aggrieved that their rights and interests seem to count for less.

Specific comments on consultation paper from the Office Of The Deputy Prime Minister

"PLANNING FOR GYPSY AND TRAVELLER SITES"

Page	Para	Comment
7	-	ODPM covering letter: This 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. However, the consultation paper 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 (eg. permanent group-style housing as promoted by the Novas Group and tried successfully in the Republic of Ireland and Northern Ireland, which is cited in the report of the Parliamentary Select Committee).
8	1	Context: The Council subscribes to the opening sentence of the Introduction, which states a commitment to "ensuring that members of the Gypsy and Traveller communities have the same access to decent and appropriate accommodation." The consultation paper should also be based on the fundamental principle that everyone – travellers and non-travellers – should be treated fairly through the application of the law and planning control.
8	7	Context: 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.
9	10	Context: 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 complying with this circular that would enable them to be more effective in their enforcement.
10	12	Definition: The seems to be a self-assessment that could open up the option of numbers of people who would like to move around the country deciding that they are "travellers".
10	12-13	Definition: This excludes "travelling show people or circus people" because "planning advice relating to travelling show people is given in DoE Circular 22/9.1" 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.
10	14	Definition: 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.
10	15-17	Definition: The overall approach to travellers seems at odds with the treatment

Page	Para	Comment
		of other sections of society. Although planning takes mobility issues into consideration, surely provision should not be so automatic but should take much more account of capacity, rather than allowing development in proportion to preferences.
10-11	18-20	Local Housing Assessments: 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	Local Housing Assessments: This paragraph is odd. It starts talking about sites and ends talking about policies - it reads like two ideas that have merged
11	23	Regional and Local Strategies: "RHS" does not appear in the glossary and is not defined until paragraph 2 of Annex D.
14	38	Sites in Rural Areas and the Countryside: There is an anomaly here that considerations about the availability of means of transport (other than private cars) for accessing services and facilities do not seem to apply to traveller sites when this is a key plank of the ODPM's "Building Sustainable Communities" policy.
14	38	Sites in Rural Areas and the Countryside: The consultation paper contradicts itself on the guidance about size of sites. On the one hand, paragraph 38 states that "sites should respect the scale of and not dominate the nearest settled community serving them" and Annex C, number 8, states that sites should "be of a size to allow integration into the local community". However, this is contradicted in Annex C, number 9, which states that unacceptable criteria include "There shall be no more than [x] caravans".
14	40	Mixed planning use: This appears to leave the door open for a dilution of controls against scrap or reclamation businesses and the resultant environmental damage to the Green Belt and open countryside. The problem already exists in South Cambridgeshire, where there are 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.
15	45	Sustainability: It does not acknowledge the need to control and eliminate criminal activity and the anti-social behaviour of some travellers. In recent years, residents of a number of villages in South Cambridgeshire have suffered from lawless behaviour in their streets, shops and pubs.
16	50	Enforcement: In order to enable local planning authorities "to act quickly in responding to breaches of planning control", utility companies should be required to notify the relevant local authorities as soon as they become aware that a site is being used unlawfully.
17	55	Race Relations: Show people and Irish travellers have regularly declared to the Council that they are socially incompatible. Leaving show people out of the parameters of this circular means allowing the potential for inadvertently situating them adjacent to people with whom co-operation is unlikely. The Race Relations Act cited in paragraph 55 states that "authorities [should] seek to promote good race relations", and building bridges between communities should certainly be

Page	Para	Comment
		encouraged. However, in cases where different travelling communities do not choose to live side-by-side, the introduction of policies which bring them together could exacerbate existing public order problems.
17	56	Monitoring: 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.
23	9	Criteria which are unacceptable: The proposal does not include the recommendation of the Parliamentary 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.
23	9	Criteria which are unacceptable: 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.
23	9	Criteria which are unacceptable: 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".
26	8	Overview of new regional /local planning process: 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?
29	4	Guidance to travellers on making planning applications: Travellers are unlikely to resist moving on to sites they have purchased before applying for planning permission to do so. 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.
38		Equity and Fairness: The glaring major omission from this consultation 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.
38	40	Planning Conditions and Contributions: The Regulatory Impact Assessment understates the drawbacks of the proposed new guidance.
41	57	Planning Conditions and Contributions: 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?