

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council 28 September 2006
AUTHOR/S: Executive Director / Corporate Projects Officer

GYPSY AND TRAVELLER DEVELOPMENT PLAN DOCUMENT – ISSUES AND OPTIONS REPORT 1: GENERAL APPROACH

Purpose

1. To present members with the first Issues and Options report which forms the base of the Gypsy and Traveller Development Plan Document (GTDPD).

Executive Summary

2. The GTDPD, as part of the Council's new Local Development Framework, will provide a vision for the future of South Cambridgeshire and will set out policies and proposals as they relate to Gypsies and Travellers in the District up to 2021. The GTDPD will also identify a number of sites for Traveller and Gypsy settlements to meet demand up to 2010, taking into consideration the recent *Cambridge Sub-Region Traveller Needs Assessment*, which identified a need for 110 to 130 pitches in South Cambridgeshire between 2005 and 2010. It will then be reviewed to take account of the Regional Spatial Strategy (RSS) review, which will identify the number of pitches required in the district to 2021.
3. The purpose of the GTDPD is not only to provide sites for Gypsies and Travellers to meet current and future housing needs, but also to set out a robust strategy for addressing the problem of illegal encampments in the District. The GTDPD will address the full range of land use and planning issues that need to be taken into account in bringing forward Gypsy and Traveller sites over the plan period, including how they relate to the settled community.

Background

4. Independent planning consultants, CDN Planning Ltd, with experience in Gypsy and Traveller issues have been instructed by South Cambridgeshire District Council (SCDC) to undertake preparation of a Gypsy and Traveller Development Plan Document (GTDPD), which forms part of the Local Development Framework. A two-stage Issues and Options consultation will take place. This Issues and Options Report 1: General Approach is the first stage in the production of the GTDPD, which will set out policies to address the needs of the Gypsy and Traveller population in South Cambridgeshire until 2021. It will also allocate sites up to 2010, the period covered by the Cambridge Sub-region Traveller Housing Needs Survey. It will then be reviewed to take account of the Regional Spatial Strategy (RSS) review, which will identify the number of pitches required in the district to 2021.
5. Along with identifying the main issues as they relate to Gypsy and Traveller accommodation, this first Issues and Options report sets out a framework for the selection of sites within the LDF and seeks views on the issues and options that have been identified as being important to this process. Once the criteria for site selection have been agreed following the results of the first consultation, a second public consultation will take place on an Issues and Options Report 2: Site Options

specifically to look at site options for Gypsy and Travellers' sites that meet those identified criteria.

6. The objective of the first Issues and Options report is to identify where there are genuine and reasonable alternatives. Where appropriate the report identifies alternative options, rejected options, and where no alternative options exist, the Council's preferred approach. It also describes the reasons why these options have been identified.

The Consultation Process

7. Representations on the Issues and Options Report will be invited during a six-week period running from 16 October 2006 to 24 November 2006. Wherever possible, we will ask for representations to be made on the website via an electronic reply form. This will help speed up the process of registering representations.
8. Comments made on the Issues and Options report 1, will be taken into account when drafting the next Site Specific Issues and Options Report. The two Issues and Options reports will then be taken into account when drafting the GTDPD, for pre-submission public participation, over a six-week period. After the Council has considered representations, the GTDPD will be submitted to the Secretary of State, and made available for a further six-week consultation period during which formal representations can be made. The new legislation also allows for a further six-week consultation on the alternative sites put forward by objectors at that stage.
9. There will then be an Independent Examination, conducted by an Inspector appointed by the Planning Inspectorate to consider the "soundness" of the plan and objections received at the submission stage. This independent Inspector will subsequently produce a report, which may include changes to the plan to meet objections and other matters. These changes would be binding on the Council who will then proceed to formally adopting the Plan.
10. The timetable for completing the GTDPD is as follows:
 - a) Issues and Options 1 Consultation (Regulation 25 – current stage) - October / November 2006
 - b) Issues and Options 2 Consultation (Regulation 25) - June / July 2007
 - c) Pre-Submission Draft GTDPD Consultation (Regulation 26) - February / March 2008
 - d) Draft GTDPD submitted (Regulation 28) - August / September 2008
 - e) Objection Sites Consultation (Regulation 32) - October / November 2008
 - f) Public Examination - March 2009
 - g) Inspectors Report - June 2009
 - h) Adoption - July / August 2009

Member Reference Group

11. A Member Reference Group (MRG) has been established following a report to Council on 25 May 2006, comprising eight members, allocated on a politically proportionate basis. The group coordinates progress on the GTDPD by overseeing the work of the consultants and provides direction by reviewing the documents before the full Council considers them for approval.
12. At its first meeting on 14 September 2006 the MRG agreed a number of changes to the Issues and Options Report that it felt would be beneficial. These changes are

listed in the draft minutes of the meeting, which are attached at Appendix 4 of this report.

Considerations

13. Members are asked to consider the details of the Issues and Options report, which can be found at Appendix 1. In general the report outlines:
 - a) The LDF process;
 - b) How the GTDPD fits in to the LDF process;
 - c) How and where the need has been identified;
 - d) Criteria for identifying sites;
 - e) Methodology for identifying sites; and
 - f) Other considerations such as dealing with unauthorised sites and community education programmes.
14. Officers would draw member's attention to section four of the report, which lists the main criteria for site selection and the issues, and options set out for consultation.

Sustainability Appraisal / Strategic Environment Assessment

15. A key element in the preparation of Local development Documents is Strategic Environmental Assessment and Sustainability Appraisal (SEA/SA) to help test evolving options and policies and ensure that the most sustainable are pursued. It also helps inform those participating in the planning process.
16. The Issues and Options Report has been subjected to SEA/SA, which tested the options against the sustainability objectives developed through the Original scoping report for the LDF and the addendum to the scoping report, which was considered by the MRG. The scoping report addendum is available to view on the Council's website with the agenda for the Council meeting (Appendix 2).
17. A summary of the SEA/SA is appended to the Issues and Options report at Appendix 1. The full SEA/SA is available to view on the Council's website with the agenda for the Council meeting (Appendix 3). Hard copies are also available on request.

Next Steps

18. After the consultation period the representations received from key stakeholders and members of the public will be assessed and responded to. A report will then be prepared recommending a response to each representation. Key issues arising will be taken to the Member Reference Group ahead of consideration by Council in order for initial views and amendments to be made. This will take place in February 2007.

Implications

19. The current timetable for the production of the GTDPD is very tight and officers are keen to avoid any further delay in the overall schedule. If amendments are required following the Council meeting, they ask that these can be agreed by the Planning and Economic Development portfolio holder rather being brought back to the next Council meeting before being taken forward.
20. In line with general and specific statutory duties under the Race Relations Act 1976 and Race Relations (Amendment) Act 2000, the Council operates a Race Equality

Scheme (RES). This was last revised and agreed by the Council in July 2006, with an update of the 2005 - 2008 action plan.

- 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).
- c) Planning policy is identified as being amongst the services most relevant to promoting race equality. The Scheme also makes specific mention of the importance of the GTDPD.
- d) The lead Cabinet Member for Race Equality, Councillor Edwards, is establishing an RES Member Working Group. This will highlight to the Cabinet and GTDPD Member Reference Group findings and recommendations from ODPM Circular 1/2006 and the Commission for Race Equality's "Common Ground" report, which may be appropriate to the Council's strategic approach to Traveller issues and the Gypsy and Traveller Development Plan Document. The first meeting of the Working Group is being arranged to take place in October.

21.	Financial	Members agreed to fund the production of the GTDPD at the Cabinet meeting held on 12 January 2006.
	Legal	The GTDPD will become a statutory Development Plan Document and therefore a very significant material planning consideration in determining planning applications. Advice from external Counsel is also being sought throughout the production of the GTDPD in order to reduce the risk of any successful challenges later in the adoption process.
	Staffing	The corporate projects officer is working with the planning policy team to manage the production of the GTDPD .
	Risk Management	The preparation of the GTDPD adds to an already very heavy workload in Planning Policy. To delay or withdraw would risk planning applications being submitted without adequate planning policy guidance and framework in place.
	Equal Opportunities	See Paragraph 20 above.

Consultations

- 22. The GTDPD Member Reference Group have been consulted on the draft Issues and Options Report 1, and the Scoping Report Addendum for the Sustainability Appraisal at a meeting held on 14 September. Amendments have been made following this meeting and the report now incorporates issues raised by the members of that group.
- 23. In accordance with the LDF guidelines, consultation has also taken place on the Scoping Report Addendum with the four statutory consultees, (The Environment Agency, The Countryside Agency, English Nature and English Heritage). It was also sent to all the recommended consultees in annex A of ODPM circular 01/2006 "Planning for Gypsy and Traveller Caravan Sites" and a number of local Gypsy/Traveller organisations.

Effect on Annual Priorities and Corporate Objectives

24.	Affordable Homes Customer Service Northstowe and other growth areas	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
-----	---	---

Quality, Accessible Services	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. Both Issues and Options reports and the Draft GTDPD are subject to a Sustainability Appraisal and Strategic Environment Assessment to ensure their compliance with these issues.
Village Life	
Sustainability	
Partnership	

Conclusions/Summary

25. The Issues and Options report has been produced in accordance with the LDF requirements and involved consultation with Gypsies /Travellers and Parish Councils before being written in order to establish views and to help formulate options.
26. The GTDPD will be an invaluable document for the Council. It will be a robust strategy for addressing the problem of illegal encampments in the district and address the full range of land use and planning issues that need to be taken into account in bringing forward Gypsy and Traveller sites.

Recommendations

27. Council are recommended to:
 - a) Approve the, Issues and Options Report 1: General Approach as set out in Appendix 1; as amended by the recommendations of the MRG contained in Appendix 4;
 - b) Approve the accompanying Sustainability Appraisal, a summary of which is appended to the Issues and Options report at Appendix 1;
 - c) Approve that the Issues and Options Report 1: General Approach along with the Sustainability Appraisal can be taken forward for public consultation as set out in the timetable at paragraph 10;
 - d) To agree that any editing changes to the above consultation documents, be delegated for approval by the portfolio holder for planning and economic development.

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

1. Issues and Options Report 1: General Approach
2. Scoping Report Addendum
3. Sustainability Appraisal
4. ODPM Circular 01/2006 "Planning for Gypsy and Traveller Caravan Sites"
5. Race Equality Scheme 2005-2008 (updated July 2006), SCDC

Contact Officer: Kirsty Simmons – Corporate Projects Officer
Telephone: (01954) 713297