

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet 14 May 2009
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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 outline the Secretary of State's Proposed Changes to the Draft Revision to the Regional Spatial Strategy regarding provision of Gypsy and Traveller sites, and to agree the response from South Cambridgeshire District Council.

Executive Summary

2. A single-issue review of the Regional Spatial Strategy has been undertaken to address provision of Gypsy and Traveller Caravan Sites in the East of England. Following an Examination in Public, the report of the Panel recommended a number of changes to the draft policy. The Secretary of state has now considered the Panel's recommendations, and published proposed changes for consultation. This report seeks to agree the Council's response to the draft policy.
3. The Proposed Changes to the Policy are generally consistent with the approach advocated by this Council, in that there should be a wide distribution of permanent residential pitches across the region, with all local authorities required to make some provision. There is, however, concern about the introduction of Countywide requirements for Transit sites and plots for Travelling Showpeople at this late stage in the process, without adequate participation and testing by all stakeholders and the public. This could potentially have implications for the timetable of the Council's Gypsy and Traveller Development Plan Document.

Background to RSS Review

4. 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'.
5. EERA subsequently carried out an Issues and Options consultation, which ran from 8th May 2007 for a 12-week period. The document sought views on the scale of pitch provision appropriate across the region, the distribution of provision, and delivery and implementation issues. South Cambridgeshire District Council provided a response during this consultation, as agreed by Council on 19th June 2007.

6. EERA considered representations received, and approved a draft policy at its meeting of 25th January 2008. The draft policy was submitted to the Secretary of State on 25th February 2008, and was subject to a 12-week consultation period. The Council's response was agreed by Cabinet on 10th April 2008.
7. An Examination in Public took place in October 2008, conducted by an independent panel of Inspectors. The Report of the Panel was published in December 2008, and recommended a number of changes to the draft policy.
8. The Secretary of State for Communities and Local Government has now considered the report, and published proposed changes, and reasons for those changes. A 12-week consultation is being held from 27th March to 22nd May. The final policy will be published later in 2009.

Response to the Proposed Changes

9. It is recommended that the Council respond to the following key areas addressed by the proposed changes. A proposed response is included under each section.

Provision for Residential Pitches

10. The policy as proposed to be changed will require that provision be made for at least 1,237 net additional residential pitches for Gypsy and Traveller Caravans over the period 2006 to 2011, to contribute to housing provision in the East of England as a whole. The policy then distributes this requirement across the individual Districts of the Region, with the general principle that every district should make a minimum provision of 15 pitches. This reflects the Panels conclusions that the main principles of the wider distribution strategy are sound, providing the opportunity for a wider range of locational choice for Gypsy and Traveller communities than currently exists at the moment.
11. Whilst supporting this general approach the Panel also recommend increases in pitch provision from the draft policy close to areas of greatest locally-arising needs, reflecting the desirability of enabling Gypsies and Travellers with strong local connections to be accommodated close to their existing base. The provision requirement for South Cambridgeshire is proposed to be changed to 69 pitches over the period 2006 to 2011, an increase of 10 pitches from the draft policy, but still a significantly lower figure than identified in the Cambridgeshire Gypsy and Traveller Needs Assessment, reflecting the regional approach to distribution. Increases in surrounding districts are as follows: East Hertfordshire up by 10 to 25; Huntingdonshire up by 5 to 25; Peterborough up by 15 to 30; Uttlesford up by 10 to 25; Braintree up by 9 to 25; St Edmundsbury up by 5 to 20; Mid Bedfordshire up 5 to 30; Bedford up 10 to 25.
12. Local authorities are encouraged to achieve this level of provision as soon as possible through the development control process, and through preparation of Local Development Documents. Opportunities should be taken to secure provision through major developments. In addition, a change is proposed to clarify that the total pitch requirement figures do not indicate ceilings, and that district figures represent minimum additional pitches to be achieved. This is consistent with the RSS approach for housing for the settled community, and therefore would be difficult to challenge.
13. Beyond 2011, the requirement for a 3% annual increase in the level of provision across the region is unchanged. This is equivalent to 1,038 additional pitches between 2011 and 2021. Where Local Development Documents look beyond 2011

they should seek to continue the distributional strategy for 2006-11 outlined in the policy. Applying this to South Cambridgeshire would require 58 pitches 2011 to 2021.

Proposed Response –

14. *The Council accept the proposed change regarding pitch provision in South Cambridgeshire. On balance, whilst the proposed change increases the requirement for the district, it does so within the context of a wider regional approach to pitch provision. The Council has consistently supported the principle of a regional approach to distribution, and the principle that all authorities should make provision. This provides a more equitable and deliverable approach. It also has the benefit of providing greater choice to the Gypsy and Traveller community.*

Provision of Transit Pitches

15. The proposed changes add a requirement for delivery of a network of Transit provision across the region. Across Cambridgeshire and Peterborough 40 pitches are required 2006 to 2011. The plan specifies that this should include provision in the Cambridge area, Fenland, Huntingdonshire and Peterborough. It should be noted that a nine pitch site has recently been granted planning permission in Fenland, which could count against provision. There is no further guidance in the plan on how the numbers should be distributed.
16. The Panel recommend Transit provision requirements should be included due to:
- substantial evidence from across the region both confirming that there is a need for some transit provision and indicating where this should be provided.
 - Unauthorised encampment is extremely undesirable and the benefits of providing an alternative should be given considerable weight.
 - There is an understandable concern about the pressure there may be for transit sites to become used to make up the shortfall of residential provision. However the Panel do not believe these are insurmountable difficulties, as is indicated by the continued operation of two transit sites in the region.

Proposed Response –

17. *The principle of a network of Transit pitches across the region has merit. However, it is questionable whether there is a robust evidence to create a specific pitch requirement. In particular, the implications of the wider policy achieving higher levels of residential pitch provision on the need for Transit provision is not fully understood.*
18. *Given the general need for permanent residential accommodation that currently exists, it would be likely that Transit sites would be occupied as long-term residential sites, at least in the short term until permanent sites are established across the region. This could create significant management difficulties. A further problem is that if additional work is needed to inform Development Plan Documents on Transit provision this could delay the production and consequently delay the provision of permanent residential pitches which prompted this single issue regional plan review.*
19. *The proposed change would require the network of Transit sites to be delivered in less than 2 years. This is not realistic or appropriate in every area given the problems identified above, and the time needed to establish the appropriate distribution of provision. A degree of flexibility should be added to the policy, to allow for the Transit provision to be delivered in the subsequent 5-year period if local circumstances meant this was a more appropriate approach.*

Provision for Travelling Showpeople

20. The proposed changes add a specific figure for Travelling Showpeople provision. The draft policy did not include a specific figure, indicating that it was the subject of on-going research. Prior to the Examination in Public evidence was submitted by the Showmen's Guild of need in each district. This was subject to comment by the participants, but it was acknowledged by the Panel in their report that local authority members had not had the opportunity to consider the subject. The Panel Report recommended an interim plot requirement by County be added to the policy, requiring 18 plots 2006 to 2011 in Cambridgeshire and Peterborough, with a 1.5% per annum allowance for household growth beyond 2011. The Panel considered this approach provided the most certainty for LDFs, and strengthened the approach in the plan regarding the needs of Travelling Showpeople.

Proposed Response –

21. *The Council object to this Proposed Change. The needs of Travelling Showpeople across the region should be the subject of further research, as there is currently insufficient evidence to make specific district or county based requirements. Evidence from the Showmen's Guild which led to the requirements was introduced at a very late stage in the plan making process, during the Examination in Public. It did not form part of the evidence base for the consultation process, and the appropriateness of the evidence and potential options for distribution of provision have not been subject to options testing or wider consultation. The figure included is considerably higher than the need identified through the Cambridgeshire GTAA, which indicated a need of only 5 plots. The evidence to guide distribution through a county is limited. The evidence base suggests a significant focus of need for some districts, which is not reflected in the proposed change. The introduction of a county-based requirement at this late stage could delay planning for Gypsy and Traveller pitches, if a DPD were held up to add on this process.*

Future Gypsy and Traveller Needs Assessments

22. A change to the supporting text of the policy is proposed to clarify that the next round of GTAAs should commence as soon as possible after 2011. They should give more emphasis to investigating the preferences of Gypsies and Travellers living in bricks and mortar to return to living on caravan sites, and include a fuller investigation of the needs of New Travellers. It also clarifies that GTAAs should be coordinated and considered at the regional level, rather than changes to provision being based on studies only assessed locally.

Proposed Response –

23. *The approach to future reviews of Gypsy and Traveller Accommodation Assessments is supported. Levels of provision should continue to be tested and addressed on a regional level.*

Implications

24.	Financial	There are no additional financial implications arising from the RSS review other than implementation through the GTDPD.
	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	<p>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. Travellers represent the biggest ethnic minority in the district (1% of the population) and suffer disproportionately high levels of ill-health and disability.</p> <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). <p>Planning is identified as being amongst the services most relevant to promoting race equality.</p>

Consultations

25. The Gypsy and Traveller Strategic Officer Group has been consulted on this report.

Effect on Strategic Aims

26.	Commitment to being a listening council, providing first class services accessible to all.
	Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for all.
	The East of England Plan aims to address the needs of the Gypsy and Traveller and Travelling Showpeople across the region.
	Commitment to making South Cambridgeshire a place in which residents can feel proud to live.

Implementation of the East of England Plan in the district will be thorough the Council's emerging Gypsy and Traveller DPD. The Gypsy and Traveller Development Plan Document, as part of the Council's LDF, will form a vital tool for implementing the Council's Gypsy and Traveller Strategy, and will set out policies and proposals as they relate to planning for Gypsies and Travellers in the District.

Commitment to assisting provision for local jobs for all.

Commitment to providing a voice for rural life.

Implementation of the East of England Plan thorough the Council's emerging Gypsy and Traveller DPD will aim to deliver appropriate site provision to meet the needs of the Gypsy and Traveller community.

Conclusions/Summary

27. The Proposed Changes to the Policy are generally consistent with the approach advocated by this Council, in that there should be a wide distribution of permanent residential pitches across the region, with all local authorities required to make some provision. There is, however, concern about the introduction of County requirements for Transit sites and plots for Travelling Showpeople at this late stage in the process, without adequate participation and testing by all stakeholders and the public. This could potentially have implications for the timetable of the Council's Gypsy and Traveller Development Plan Document.

Recommendation

28. Cabinet is recommended to agree the responses to the Regional Spatial Strategy for the East of England single issue review to address provision of Gypsy and Traveller caravan sites as cited in paragraphs 14 to 15, 18 to 20, 22, and 24 above.

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

The Examination in Public Report of The Panel, and the Secretary of States Proposed Changes to the Draft Revision to the Regional Spatial Strategy and Statement of Reasons can be viewed here:

http://www.gos.gov.uk/goeast/planning/regional_planning/687221/

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