

**SOUTH EAST ENGLAND REGIONAL ASSEMBLY  
PLENARY MEETING**

Date: 4 March 2009

Subject: **Gypsies, Travellers and Travelling Showpeople Review:  
Preferred Option**

Report of: Director of Planning

**Recommendations:**

That the Assembly agrees for submission as regional advice to Government Office:

- I. Draft replacement South East Plan Policy H7: Provision for Gypsies, Travellers and Travelling Showpeople; as at Annex E including:
  - i. Provision of 1,064 residential pitches for Gypsies and Travellers 2006-2016, and 302 for Travelling Showpeople.
  - ii. The Option D residential pitch distribution for both Gypsies and Travellers and Travelling Showpeople.
  - iii. A delegated approach to determining provision for transit, temporary and emergency stopping places through county group-based joint working.
2. The supporting Strategic Environmental Assessment (Executive Summary at Annex D); and Pre-submission Consultation Statement (Annex A).

**Purpose of Report:**

To agree what overall provision and distribution of pitches for Gypsies, Travellers and Travelling Showpeople (GTTS), both permanent and temporary stopping, should be recommended as regional advice to Government on provision in the South East.

**Key Issues:**

The Assembly undertook Issues and Options public consultation on four options for the distribution of permanent residential pitches for GTTS based on the total level of need identified in combined final council advice, and an additional homeless element of need for Showpeople: 1,064 pitches for Gypsies and Travellers, and up to 276 for Travelling Showpeople (2006-2016). In the absence of comprehensive transit advice we also consulted on whether to delegate identification of need for transit provision to local authorities, rather than make specific allocations.

There were 982 valid responses by questionnaire or correspondence, including 382 from GTTS. The consultation revealed strong overall support for making both permanent and transit provision to reduce unauthorised sites, and for doing so throughout the region. There is a mix of views on the adequacy of the level of provision proposed, and GTTS widely perceive the allocations as being too low. But the only substantive new evidence to justify specific changes from the level of need consulted upon is the completion of a Showpeople assessment for Oxfordshire, now incorporated with some minor changes arising elsewhere.

The Option D approach is recommended as our preferred option. Consultation has revealed strong support overall for wider regional redistribution, especially so amongst GTTS (66% support, 51% for the most redistributive Option C) but also by the general public. This provides some hard evidence of a community case for redistribution previously lacking and now difficult to ignore. This case is strengthened by the recommendations arising from the East of England Examination in Public, supporting regional pitch redistribution both in principle and on practical grounds to improve delivery and choice, and as a transition to a more sustainable long-term pattern of provision. The Panel also specifically rebutted a number of arguments against redistribution raised in our region. Option D also offers a compromise between wider preferences and that of the majority of councils, who oppose regional redistribution and favour Options A and/or B.

Gypsy and Traveller and Showpeople residential pitch allocations are tabulated within the draft policy at Annex E using our existing methodology. The total amounts to an average of 20 pitches and around 0.5 hectares per local authority by 2016. Some minor or localised changes to the consultation-stage Option D figures arise from updating to the latest available criterion data, and incorporation of the results of a recent Showpeople need assessment for Oxfordshire.

We recommend a delegated approach to transit provision as consulted upon, with requirements to be identified through county-based joint working informed by a pending regional study into patterns of transit movement and higher-level evidence need.

## **1. Background and Context**

- 1.1 On 16 July 2008 the Assembly agreed for the purposes of Issues and Options public consultation four options for the distribution of permanent residential pitches for Gypsies, Travellers and Travelling Showpeople (GTTS) based on the total level of need identified in combined final council advice, and an additional homeless element of need for Showpeople: 1,064 pitches for Gypsies and Travellers, and up to 276 for Travelling Showpeople (2006-2016). The Assembly also agreed to consult on an approach where the level of transit provision would be locally determined in consultation with GTTS communities with the South East Plan providing an indication of the general level of need<sup>1</sup>.
- 1.2 Issues and Options consultation ran 1 September 2008 to 21 November 2008. Details of the consultation process are set out within the Pre-Submission Consultation Statement attached at Annex A<sup>2</sup>, which the Assembly is asked to agree as part of the submission documentation.
- 1.3 The recommendations in this report are as supported by Regional Planning Committee on 28 January 2009. In addition we have included updated Showpeople figures for Oxfordshire (replacing an interim estimate) with consequential minor changes arising elsewhere.

## **2. Headline Consultation Results**

- 2.1 This section provides a brief overview of the main consultation messages. Annexes B and C respectively provide a detailed statistical analysis broken down by categories of respondent to aid interpretation, and a summary of and response to the main points made by respondents. Residents views expressed in the MORI survey tended to be broadly similar to, but more moderate, than those of residents responding directly.

### **2.2 Response Rate**

There were 982 valid responses by questionnaire or correspondence including 382 from GTTS (not including the MORI poll of 1,000 residents). A further 147 discriminatory responses were excluded from consideration and returned as required under the Race Relations Act.

### **2.3 A Clear Mandate for Action**

There was strong overall support for: provision to reduce unauthorised encampments, provision in all parts of the region and provision near jobs and services (84-89% overall strongly agreeing or tending to agree).

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<sup>1</sup> Somewhere to Live' consultation document paragraph 5.2

<sup>2</sup> Report only, its annexes are available online at [http://www.southeast-ra.gov.uk/sep\\_gtts.html](http://www.southeast-ra.gov.uk/sep_gtts.html)

## 2.4 Level of Provision

Somewhat predictably there was a tendency for residents to say the proposals were 'too high', GTTS to say 'too low', and councils to say 'about right' (although half of councils did not comment). Whilst there are diverging views on the robustness of the pitch levels proposed, there is little specific, new evidence to consider other than the new Oxfordshire Travelling Showpeople Accommodation Assessment, now included.

## 2.5 Preferred Option

Taken as a whole, responses favour redistribution (57% options C and D). Notably GTTS favoured greater redistribution (51% support option C and 15% support option D), although views from leading community representatives were mixed (options C, D and a variant to Option A adding extra pitches in low provision areas). Residents also tended to favour more even distribution. This provides some hard evidence of a community case for redistribution previously lacking. Councils were almost the mirror opposite, with 63% favouring no regional redistribution. One in seven councils support none of the options, where specified preferring an alternative or variation that would reduce provision locally. The common theme was the significant extent of local constraints to delivery due to being predominately urban, and/or constrained by protective environmental/landscape designations, and/or with high housing targets.

## 2.6 Transit Approach

There was 79% support for providing stopping places in locations where that often occurs. As to whether the proposed delegated approach could be improved upon, there was a fairly low and mixed response, with a number of councils noting that Caravan Count data need to be used with caution, and more generally that there needs to be more research including consultation with Gypsies and Travellers (who tend to favour transit provision in every authority).

## **3. The East of England GTTS Panel Report**

3.1 The above report was published in December 2008, shortly after our consultation period closed. It offers some useful insights as to how inspectors have worked through issues of relevance to the South East.

### 3.2 Redistribution

The Panel accepted that achieving a more 'balanced' pitch distribution is sound in principle, as progress towards an eventual pattern of provision better suited to overall needs and more capable of meeting ongoing requirements. They agreed that widening responsibility for provision should help speed up delivery. The Panel also noted that strengths of GTTS local connections vary, that some appeared willing to be flexible and thus that adverse effects on GTTS families could not be generally presumed.

### 3.3 Constraints

The Panel concluded that Green Belt, environmental designations and other constraints did not preclude achievement of modest provision in any district including urban areas. The minimum five-year allocation recommended was ten residential pitches. The Panel noted that some, minor Green Belt boundary changes would likely be necessary, and supported policy reference to the potential of exceptions sites for GTTS provision.

### 3.4 Transit provision

EERA did not consult on nor submit transit proposals for examination. The Panel used Caravan Count-based estimates as a common starting point for Examination debate to derive allocations at county-group level, and they recommended local studies to refine the details at site and district level. The appropriate balance between provision formats would be locally determined.

## 4. **Preferred Option Considerations**

### 4.1 Sustainability Appraisal (SA) and Habitat Regulations Assessment (HRA)

- 4.1.1 At the regional scale all the options produce a moderately positive overall effect, and we consider there are no significant differences between the effects of the four options. The most important effects are the compelling positive socio-economic benefits to GTTS of making provision, and consequent reduction in the potentially adverse effects of recourse to unauthorised sites (which are common benefits to all four options). The HRA Screening of the options concluded that at a regional scale none would lead to significant adverse effects on European Sites (further local screening may be necessary for specific site allocations).
- 4.1.2 Consultation feedback pointed out that the draft SA in places overstated the potentially negative effects, especially of Options B to D, and this has been corrected. Essentially the potential for negative effects is much more dependent on how provision is made at the local level than the variations in local levels of provision under the different options.
- 4.1.3 Amongst the wider range of sustainability considerations, a number of councils highlighted limited availability of land (or land without restrictive planning designations) as a particular constraint on delivery. Such areas may face greater challenges in delivering pitches in a sustainable manner. However there is no SA or HRA evidence to support a conclusion that there is any specific area where modest provision cannot be achieved on land availability grounds, especially in the context of the low land-take<sup>3</sup> required, provided the socio-economic benefits to GTTS are given appropriate weight.

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<sup>3</sup> An average of 20 pitches and around 0.5 hectares per local authority by 2016.

- 4.1.4 Option C received most consultation support but has the particular effect of doubling Gypsy and Traveller pitch requirements in Hampshire from identified need arising, with concomitant reductions both in adjoining counties and further afield. Whilst it is clear that some GTTS are prepared to be mobile and that they welcome wider locational choice in principle, there is a potential risk that such a level of additional provision would not specifically be taken up in Hampshire. If not, part of the region's need could be unmet, and the overall sustainability of the outcome reduced<sup>4</sup>. The particular issues around the concentration of additional Showpeople pitches required in Hampshire have also been assessed, and do not change the overall assessment conclusions.
- 4.1.5 The non-technical summary of the updated Submission Draft SA is attached at Annex D. The full SA report and updated Habitats Regulations Assessment screening report are available on the Assembly website<sup>5</sup>.

## 4.2 The Relative Merits of the Options

- 4.2.1 All the options put forward for consultation are credible and could be defended at Examination in Public, but none are immune from criticism. In terms of their relative merits:
- A majority of councils oppose regional redistribution and prefer options A and/or B. But based on consultation feedback (GTTS and residents) and the Panel findings in the East of England to proceed on this basis would ignore the clear mandate established for a degree of regional redistribution to widen GTTS choice and responsibility for provision.
  - The Friends, Families and Travellers' alternative option of 'A plus top-up' could meet these objectives whilst also predominantly following need assessment evidence, but by increasing overall provision<sup>6</sup> above the total level supported as robust in combined council advice. It also diverges from the agreed Assembly approach, that allocations should be guided by planning and sustainability criteria.
  - Option C finds most support in consultation, especially from GTTS, but the implications for Hampshire are significant. Hampshire has the lowest (per authority average) level of existing provision for Gypsies and Travellers and highest county-group level of unauthorised encampments, so a case can be made for increasing relative provision for these groups. But on top of Travelling Showpeople requirements a 100% increase from identified need arising for Gypsies and Travellers under option C is perhaps extreme, with the potential risk that pitches would not be taken up and overall sustainability slightly reduced.

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<sup>4</sup> Note that the 'tipping point' between the benefits of increased choice and the costs of imbalanced provision cannot be specified, but the more extreme the extent of redistribution the greater the potential risk.

<sup>5</sup> [http://www.southeast-ra.gov.uk/sep\\_gtts.html](http://www.southeast-ra.gov.uk/sep_gtts.html)

<sup>6</sup> A top-up to eg 10 pitches minimum would add around 150 pitches regionally.

### 4.3 Preferred Option

- 4.3.1 On balance we recommend Option D as a deliverable compromise. Whilst there is majority support for deeper redistribution, Option D will offer a less abrupt transition towards a pattern of provision that is more sustainable in the long-term. The Showmen's Guild and some representatives of the National Federation of Romany Gypsy and Irish Traveller Liaison Groups (Southern Network) also support option D, as a balance between recognition of the reasons why GTTS gravitate to particular areas (employment, family links etc), and the need for each Authority to play a part in resolving the need for new sites.
- 4.3.2 We also recommend that the redistribution methodology remain the same. There was little overall call for change, and the various alternatives whilst credible do not appear inherently preferable for the region as a whole. However we have taken the opportunity to update our methodology to the latest datasets and improve their combination<sup>7</sup>, and this in itself slightly changes the distributions. The updated Option D distributions are tabulated within the draft policy at Annex E. The policy wording proposed would allow Groups of councils to pool and redistribute their combined allocations if it would improve delivery outcomes.

### 4.4 Transit Approach

Whilst consultation revealed mixed views about the delegated approach, Regional Planning Committee considered the case for including county-group allocations and concluding that the evidence currently available at regional level is insufficiently robust. They recommend the delegated approach as consulted upon (with indicators of need provided as supporting information). The draft policy is worded accordingly with requirements to be identified through county-based joint working informed by regional evidence (such as a pending regional study into patterns of transit movement patens and higher-level evidence of need). County group-based joint working is indicated, although in some cases existing GTAA evidence may be sufficient.

### 4.5 Policy Wording

The proposed wording of replacement South East Plan policy H7 is attached at Annex E, in line with the outline policy content supported by RPC. This in turn drew on Panel recommendations from the Southwest and East of England Examinations in Public.

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<sup>7</sup> The redistribution criteria indicators are 'Population at 2016', and 'area not designated: AONB, Green Belt, National Park, SSSI/SAC/SPA and flood risk zones 2 and 3'. The most notable change is the recent availability of digitised Green Belt boundaries, which has eliminated an element of land-constraint double-counting acknowledged by footnote in earlier RPC reports.

## **5. Next Steps**

- 5.1 Subject to Assembly's recommendation, consultation on the submitted preferred option by Government Office for the South East would commence immediately after the 4 June 2009 elections.
- 5.2 The onward timetable has not yet been set, but the provisional date for the Examination in Public is 8-11 December 2009, suggesting publication of the Panel Report in Spring 2010, and of the final policy around the end of 2010.

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