

**SOUTH EAST ENGLAND REGIONAL ASSEMBLY  
REGIONAL PLANNING COMMITTEE**

Date: 30 January 2008

Subject: **South East Plan Partial Review (Gypsies, Travellers and Travelling Showpeople): Options for consultation**

Report of: Director of Planning  
South East England Regional Assembly

**Recommendations:**

That Regional Planning Committee:

1. Notes the recommendations of the independent audit report.
2. Recommends to the Assembly support for the overall provision of 1,347 new pitches between 2006 and 2016 and the district distributions proposed in Options A, B and C for the purposes of public consultation (subject to further discussions with local authorities on the results of the auditing process).
3. Notes the provisional pitch requirements for Travelling Showpeople and for transit purposes, and that they are additional to the above.

**Purpose of Report:**

To agree what overall provision and options for distribution of pitches for gypsies and travellers should be recommended to the Assembly for consultation. To note the emerging findings on additional requirements for Travelling Showpeople and for transit purposes.

**Key Issues:**

- The Assembly is required to advise Government on the provision of new pitches for Gypsies, Travellers and Travelling Showpeople between 2006 and 2016. Public consultation on the options for possible distribution is the first key stage in this process following evidence gathering.
- Local authorities have provided advice to the Assembly on the overall level of new pitches required and the distribution (to district/unitary level). This has been independently audited and has informed development of the options (A, B and C) proposed in this report.

- In terms of overall provision, a total of 1,347 pitches are required in the region between 2006-2016 for Gypsies and Travellers, doubling existing authorised provision. At least a further 300 pitches will be required for Travelling Showpeople and for transit purposes.
- The audit process has highlighted some concerns about the advice from Oxfordshire, Buckinghamshire and Chichester and whilst this has been addressed in the options presented in the report, discussions are ongoing with the relevant authorities, the results of which will be reported to the full Assembly meeting in March, before final approval of the consultation options.
- Following the Member workshop in November, advice has been sought from GOSE with regards to the adequacy of Options A and B in terms of the 'test of soundness'. The advice is that a consultation based only on Options A and B is not sufficient and therefore an additional option (C i and ii) is recommended for the purposes of consultation.

## **I. Report structure and introductory comments**

- I.1 Section 2 provides a brief introduction to the partial review, relevant guidance, and assembly of the Gypsy and Traveller Accommodation Assessment (GTAA) evidence base.
- I.2 Section 3 reviews the audit of local authority advice and the main issues arising. It concludes with a recommendation as to how best to address issues of concern, to establish for public consultation purposes an agreed total pitch requirement and distributions for Options A and B.
- I.3 Section 4 sets out emerging additional requirements for Travelling Showpeople and for transit purposes.
- I.4 Section 5 makes the case for an additional pitch distribution Option C that is more widely distributive, for the purposes of public consultation. We recommend an approach and illustrate two variants of it.
- I.5 Supplementary detail is provided in the annexes as follows:
  - Annex A: Partial Review process summary
  - Annex B: GTAA Benchmarking & Audit of Advice Final Summary Report
  - Annex C: Table of pitch requirements and comparators by authority
  - Annex D: Maps of comparative existing and proposed pitch provision
  - Annex E: Emerging requirements for Travelling Showpeople
  - Annex F: Transit provision
  - Annex G: Letter from Kent County Council (regarding redistribution)
  - Annex H: Letter from Government Office for London (re. options)
  - Annex I: Emergence of additional options
  - Annex J: DCLG on 'taking a strategic view of needs across the region'
  - Annex K: Arguments for and against more widely redistributive options

- Annex L: Tables for Option C variants compared to Options A and B
  - Annex M: Option D figure and tables for information.
- 1.6 Guidance requires that the Assembly generates pitch distributions to local authority level, and this report does so. The secretariat considers that Assembly distributions should be a 'default' position, especially given the audit and (if agreed) further options vary pitch numbers submitted in advice. Advice groups should have the option to substitute a politically agreed alternative summing to the same total, before the end of the Issues and Options consultation period (29 July 2008). This could be done on a 'without prejudice' basis where necessary.
- 1.7 Note all Option A and B figures used are as set out in the audit. In contrast to previous presentations figures are for the full ten-year period 2006-2016.
- 1.8 The requirements set out in this paper equate to land-take of approximately 0.5 hectares per authority over the full ten years, 0.5% of the land-take for mainstream housing in the same period.

## 2. Background

- 2.1 Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites (ODPM February 2006) requires that an RSS should identify the number of caravan pitches required (but not their location) for each local planning authority in the light of local authority Gypsy and Traveller Accommodation Assessments (GTAAAs) and a strategic view of needs across the region.
- 2.2 Circular 01/2006 was published shortly before the Assembly submitted the Draft South East Plan to Government, and before GTAAAs had been carried out. The Plan therefore contains an interim statement (pp.90-91) and commits to an early partial review. Circular 04/2007 *Planning for Travelling Showpeople* (DCLG August 2007) essentially extends the approach in Circular 01/2006 to include Travelling Showpeople, and the scope of the review has been expanded accordingly.
- 2.3 The project plan for the partial review was agreed in December 2006 following consultations with member authorities and other stakeholders. Pursuant to the project plan objectives a brief was issued requesting that local authority groupings submit advice to the Assembly, taking into account GTAAAs and other locally relevant factors. The key requirements were to provide:
- District based figures for permanent caravan pitches or the equivalent for groupings of adjacent authorities; and
  - Two spatial options for pitch distribution within the groupings of authorities.
- 2.4 The two options for advice are as follows.

- **Option A** - a distribution to meet needs where they arise, as identified through GTAA's and the existence of unauthorised encampments (although this may reinforce existing patterns of provision).
  - **Option B** - a variant based on sustainability considerations: protecting and enhancing the natural environment, making best use of previously developed land and existing or planned infrastructure provision; and facilitating access to employment opportunities and local services to support social inclusion.
- 2.5 GTAA's for all parts of the region except North Kent were submitted by late summer 2007. These were benchmarked for individual robustness and regional consistency by independent consultants, including comparison with a formula in DCLG regional guidance<sup>1</sup> ("the RSS formula") developed to provide general pitch need estimates. Benchmarking feedback was provided to inform local authorities in their submission of advice. Advice<sup>2</sup> was received by autumn 2007, and audited by the same consultants by Christmas.
- 2.6 Annex A provides a fuller summary of GTAA benchmarking including the RSS formula, and the advice processes.
- 3. Audit of advice: recommendations for Options A and B.**
- 3.1 The audit process was carried out by leading academic experts in the field, and built on GTAA benchmarking. Advice was assessed for local robustness in relation to the underpinning GTAA, and overall regional consistency.
- 3.2 The consultants' final draft Summary Report is attached as Annex B. Tables 1-3 (pp.4-7 and p.10) provide an overview of GTAA coverage, findings and robustness. Table 5 (p.17) provides an overview of local authority advice and adjustments recommended. Pages 36-37 provide resulting pitch numbers by local authority. These are also tabulated for ease of use at Annex C with all gaps filled as recommended, and with existing pitches, GTAA results and the RSS formula figures for comparison. The relative concentrations of existing and proposed pitches are mapped at virtual county level at Annex D.
- 3.3 The audit adjusts advice pitch numbers where this was considered necessary, and fills gaps in information provided. GTAA-derived variables are preferred over more arbitrary assumptions sourced or used elsewhere (however commonly). Where the GTAA did not inform gap filling, the least controversial and most regionally consistent approach was employed.
- 3.4 It should be noted that two areas did not submit an Option B that met the Assembly's guidance for advice (Oxfordshire and Buckinghamshire), and one only submitted an Option A (Hampshire)<sup>3</sup>. The consultants recommend using Option A figures where no Option B was provided

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<sup>1</sup> *Preparing Regional Spatial Strategy Reviews on Gypsies and Travellers by regional planning bodies*, DCLG March 2007.

<sup>2</sup> Kent advice provided figures for North Kent.

<sup>3</sup> In addition, where advice was submitted by a single authority Options A and B will be identical eg Isle of Wight, Milton Keynes.

- 3.5 The majority of audit changes are fairly minor, except in three areas where advice proposed a significant reduction in pitch provision compared to need identified in the relevant GTAA: Oxfordshire, Buckinghamshire (not including Milton Keynes) and Chichester. Table I summarises the key figures (from Annex C).

Table I: Comparative pitch numbers for the key areas of audit intervention.

County / Authority	Caravan count pitches*			2006-2011 Comparators			
	Author-ised	Unauthor-ised	Total	GTAA figures	RSS formula	Advice Option A	Audit Option A
Oxfordshire	192	11	204	58	83	10	58
Chichester	30	3	33	53	15	15	43
Buckinghamshire	103	48	150	91	88	46	91

\*Average of the January 2006 and January 2007 caravan counts.

- 3.6 Oxfordshire and Buckinghamshire (not including Milton Keynes) submitted significantly lower pitch requirements in their advice compared to the findings of the ACTVAR region GTAA, on the basis of a re-working of the ACTVAR GTAA assumptions. Audit found this approach unsound<sup>4</sup>, preferring use of the GTAA assumptions, and recommended reverting to the GTAA figures.
- 3.7 Chichester submitted a lower figure because benchmarking found an element of double-counting in the GTAA. Chichester adopted the RSS formula figure, although benchmarking noted it was too low in this instance<sup>5</sup>. Audit recommends using the corrected GTAA.
- 3.8 In addition audit adjusted upwards for an East Sussex GTAA assumption curtailing growth in the 2001-16 period. It is understood this intervention is accepted.
- 3.9 Note the audit recommendations are unlikely to be welcomed in the three main areas of intervention. The secretariat will continue to explore whether an agreement can be reached for these areas. In doing so it is important not to undermine the regional process nor the status of the ACTVAR GTAA. This GTAA has been found sound, and the Berkshire authorities and Milton Keynes continue to support its findings in their advice.
- 3.10 Subject to the above and in the event that further agreement cannot be reached, it is recommended that the audit figures and distributions for Options A and B be agreed for the purposes of Issues and Options public consultation. Given these are the clear recommendations of the Assembly's

<sup>4</sup> Note the ACTVAR GTAA was found generally robust at benchmarking stage, but was considered more likely to err on the low side already (eg the RSS formula suggested higher requirements). The audit conclusion was based in part on professional judgement, in that that the replacement assumptions were not objectionable per se but either less or no more reasonable than the original ones, and that on balance those derived from and/or employed in the GTAA were preferable. Their cumulative impact was considered unsound in that for the most part they reduced pitch requirements, to a level considered unrealistic.

<sup>5</sup> Benchmarking noted that updated unauthorised development information in the Chichester GTAA indicated the benchmarking formula result would be too low in this instance, as it relies on low caravan count information superseded by the GTAA's own survey findings.

own independent experts; the Assembly could not reasonably defend the three areas' advice/pre-audit figures at Examination in Public. Note the Assembly's Gypsy and Traveller Officer Task Group and the RPC Steering Group respectively discussed the outcomes of the audit process on 9 and 10 January 2008, and both support use of the audit figures.

- 3.1.1 On the audit basis total pitch requirements for the region are **1,347 additional pitches 2006-2016**, excluding provision for Travelling Showmen and for transit purposes (authority-level requirements are tabulated at Annex C). Approximately two-thirds of this requirement arises in the first five-year period, a significant component of which is backlog of unmet need. This requirement approximately doubles the existing number of authorised pitches.

#### **4. Provision for Travelling Showmen and for Transit Purposes**

- 4.1 The limited evidence available indicates need for 110-130 Travelling Showmen pitches 2006-2011, with data from Kent pending and no information yet available for Oxfordshire. Further details are provided at Annex E. There appears to be a particular concentration of Showpeople in Surrey. The Guild of Travelling Showmen state that a significant proportion of its members currently without a permanent site are prepared to be quite flexible about where provision is made.
- 4.2 In terms of transit provision, the Partial Review will indicate general requirements rather than specific allocations. Advice coverage is partial but indicates approximately 15 transit sites are required across the region. The number of pitches per site is not always provided and would be a matter for LDFs, but for illustrative purposes 15 sites might equate to 150 transit pitches. Further details are provided at Annex F.
- 4.3 The audit has not been able to shed any light on cross-regional transit requirements. There have been discussions at regional level on the need for further research, but this is likely to be a matter for future reviews.

#### **5. Further Options**

##### **5.1 The case for further options**

- 5.1.1 Further options are considered necessary for three main reasons:
- i. The historic basis for much of the growth in areas of current concentration of provision has changed significantly over recent years, mainly for economic reasons eg the declining importance of the rural economy in Kent (see letter at Annex G Future provision needs to take account of wider opportunities in society).
  - ii. DCLG guidance actively promotes widening responsibility for pitch provision, and improving opportunities for gypsies and travellers in areas where there is little or no current provision. This is important

given the often significant difficulties with securing new sites. For example, Surrey and Kent contain 52% of the region's authorised pitches, and under Options A and B would provide 48% of the region's requirements 2006-2016.

- iii. To ensure the Partial Review process is robust and meets the tests of soundness. Sustainability Appraisal guidance require the appraisal of reasonable alternative strategic policy approaches, and encourages testing of a range of alternatives. Options A and B have proved to be fairly similar in many local areas, and are identical at advice area or county level. It is arguable whether they constitute 'reasonable alternatives' for SA purposes, let alone a sufficient spectrum of options. The attached opinion from Government Office for the South East is instructive (see Annex H).

5.1.2 Annex I traces the background to the secretariat bringing forward the issue of further options, and Annex J summarises the relevant DCLG regional guidance. Further arguments for and against further options are summarised at Annex K. This include points made at the Joint RPC and RHB Partial Review workshop on 28 November 2007, where the majority view expressed was against inclusion of further options.

## 5.2 Option C

5.2.1 Since the workshop further options have been considered in greater detail by both Officer Task Group and the RPC Steering Group, both in terms of the case for them and their composition. Option C in this report has been supported by both groups for public consultation purposes. The variables employed also take into account comments from the workshop.

5.2.2 Option C is in essence a simplified version of option B run across rather than solely within advice area boundaries. It explicitly seeks to transfer a proportion of the pitch requirements from areas of highest concentration and growth to areas with less provision.

5.2.3 Option C uses the simplest criteria or proxies to broadly reflect the general sustainability and planning considerations specified for option B. It has been constructed as follows. A proportion of pitch requirements are reapportioned pro rata on the basis of two evenly weighted criteria, both expressed as a percentage of the regional total:

- Land area free from major environmental constraints<sup>6</sup>, to take broad account of constraints on development and environmental sustainability; and
- Population forecast for 2016 (the end of the partial review period), a general proxy for economic and social opportunities eg access to employment and services.

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<sup>6</sup> 100% deductions for flood risk zones 2 and 3 and SSSI (SSSI covers European designations), and 95% of the amount of green belt and AONB. Note that combination of these factors fractionally overstates the extent of constraint and thus the scale of redistribution.

The apportionment retained share is based on Option B (as audited), to acknowledge local consensus where it has been reached <sup>7</sup>.

5.2.4 Two variants are illustrated. Option C (i) reapportions 50% of pitch requirements, and Option C (ii) 25%. Note in both cases all local authorities receive a proportion of their reapportioned need back, moderating the extent of redistribution. Figure 1 and table 2 compares both variants to options A and B as audited. Option C is tabulated by local authority at Annex L.

Figure 1: Comparative virtual county distributions for Options A, B and C

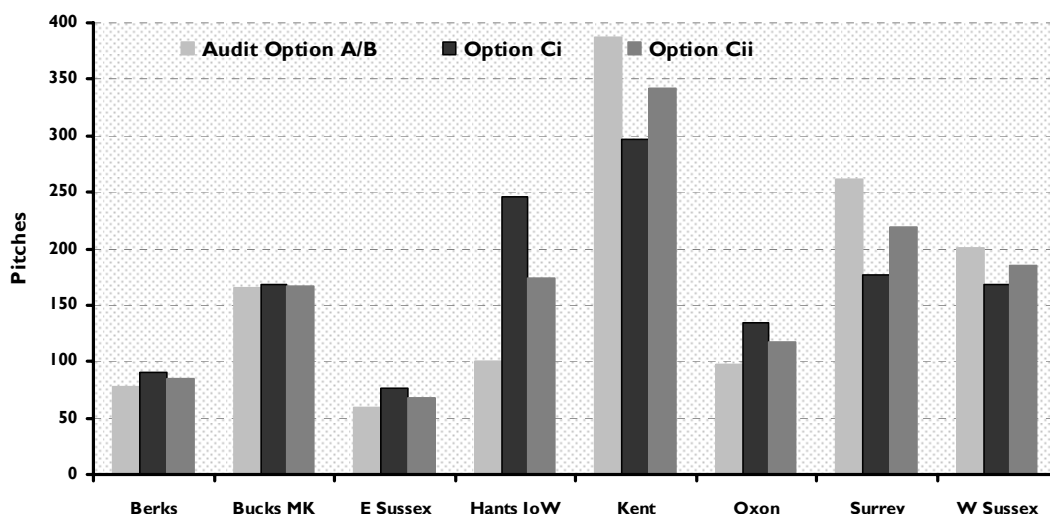


Table 2: Comparative virtual county distributions for Options A, B and C

(Virtual) County	2006-2016		
	Audit Option A/B	Option Ci	Option Cii
Berkshire	78	90	84
Buckinghamshire MK	165	168	166
East Sussex	60	77	68
Hampshire loW*	100	246	174
Kent	387	296	343
Oxfordshire	98	134	117
Surrey	261	177	219
West Sussex	201	168	185
<b>SOUTHEAST</b>	<b>1350</b>	<b>1355</b>	<b>1357</b>

Rounding introduces minor summation discrepancies

\*Figures for Isle of Wight held constant

<sup>7</sup> Note at paragraph 1.6 we recommend that the distribution should be treated as a default that the advice groups can reallocate internally as is deemed locally appropriate.

### 5.3 Option D

5.3.1 The workshop also considered an option D which apportioned half of the region's pitch requirements evenly to all authorities without reference to planning criteria. Officer Task Group expressed the view that option D should also be considered, but on the basis of guidance from the steering group and negative workshop feedback it is not formally recommended. For information purposes Option D is illustrated and tabulated at Annex M. As elsewhere the retained share (50%) is based on Option B as audited.

## 6. **Conclusion and next steps**

- 6.1 For the purposes of public consultation RPC is requested to support the Options A and B (as audited) and Option C as proposed.
- 6.2 The decision whether additional distribution option(s) should be progressed to consultation stage, and if so their final form, will be made by Plenary on 5 March 2008. Subject to Plenary's decision the consultation period would provide the opportunity for authorities to express any preference between options.
- 6.3 Issues and Options public consultation will run from 6 May through 29 July 2008, reflecting the timetable in the Project Plan, with submission of a preferred option to GOSE in December 2008.
- 6.4 The consultation will be clearly badged as an Assembly consultation and managed by the Assembly. It will be carried out with assistance from principal and district authorities following the approach agreed by RPC on 28 November 2007. The next meeting of the Officer Task Group will help firm up details and arrangements.

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