

PLANNING FOR GYPSIES AND TRAVELLER ACCOMMODATION IN THE EAST OF ENGLAND: ISSUES AND OPTIONS – RESPONSE TO CONSULTATION BY EAST OF ENGLAND REGIONAL ASSEMBLY (EERA)

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Background Papers:- EERA Issues and options Document. (Can be viewed at: <http://www.eera.gov.uk/consultation/consultationview.aspx?GUID=SAqkTIAvg7yhiGJXgHD2nSnrB4zSFIsR+68LxIQhB2Y=>) Looking Back, Moving Forward, University of Salford
Preparing Regional Spatial Strategy Reviews on Gypsies and Travellers by regional planning bodies, CLG

Financial Implications:- No direct implications associated with this response

Equalities Implications:- Provision of adequate sites for gypsies and travelers is an equalities issue

Legal Implications:- The Housing Act 2004 and Planning Circular 01/2006 has put in place a framework which means every local authority has to identify land for the sites that are needed in its area.

Options:

1. To agree the comments set out in Appendix 1 as the response to EERA
2. To amend the comments set out in Appendix 1 as the response to EERA

Risks: The main risk is that the Council's representations are not accepted by EERA.

EXECUTIVE SUMMARY

EERA has published and Issues and Options Document on Planning for Gypsy and Traveller Accommodation in the East of England for consultation. Responses must be submitted by 31st July 2007.

The document sets out relevant information and poses questions on the following issues:

- The scale of pitch provision across the region
- The distribution of provision to each District
- Delivery and implementation issues

The questions and a suggested response to them are set out in Appendix 1 to this report.

DECISION

It is **RECOMMENDED** that Cabinet agree the comments set out in Appendix 1 as the basis of the Council's response to EERA and that the response be finalised by the Cabinet member for Enterprise and Infrastructure following the meeting of all Essex authorities on the 18th July.

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Background

1. During the public examination of the East of England Plan EERA accepted that the emerging Plan did not comply with Government requirements as it did not include guidance on the number of gypsy and traveller sites that should be provided in the region. It was agreed that a single issue review of the Plan would be carried out to deal with this. As the first stage of the preparation of this review EERA has now published an Issues and Options Document for consultation. Responses must be submitted by 31st July 2007
2. The document examines the number of gypsies and traveller caravans in the region on both authorised and unauthorised sites, considers the information available to inform the number of sites that will be required in future and proposes two alternative options for the distribution of additional pitches (a pitch can normally accommodate 2 caravans) across the region. Once the overall level of provision has been established for each area it will be for local Councils to identify suitable sites to meet that provision.
3. One of the fundamental issues to be determined is the appropriate number of additional pitches to be provided in Essex. To help with this Essex authorities (through the Essex Planning Officers Association) commissioned Salford University in 2005 to advise on the future needs of the County. Their report Looking Back, Moving Forward was published in February 2006. This advised that in addition to accommodating those caravans on unauthorised sites in the County (442 caravans in July 2005 equivalent to 221 pitches) an additional 59 pitches would be required in the County by 2016 to accommodate the forecast growth in the number of gypsy and traveller households in that period (i.e. a total of 280 additional pitches for the period to 2016).
4. The Salford University study was prepared at the same time as further Government guidance was emerging on this issue. EERA therefore commissioned separate consultants (led by Pat Niner of the Centre for Urban and Regional Studies, University of Birmingham) to examine the work that had been carried out for each County in the region and to advise on the pitch requirement. The result of this work was to produce a different and higher figure for Essex than the Salford study amounting to 440 pitches for the period to 2011. On the basis of this work EERA also proposes that 1,220 net additional pitches are required across the region as a whole.
5. There has been a member meeting of Essex authorities to discuss the EERA report and it was agreed that further work was required to look at the two previous studies to identify the reasons for the significant variation in pitch provision between the two reports and to review the formulas used by P Niner and the original Salford research with a view to producing a robust and more appropriate figure for Essex, acceptable to ECC, EPOA and EERA. Richard Fordham Associates have been appointed to carry out this work and will be reporting their findings to a meeting of Essex authorities on 18th July 2007. It is not possible therefore to refer to their work in this report and it will be necessary for the Cabinet member for Enterprise and Infrastructure to finalise the Council's response following this meeting.

6. Having established appropriate provision for each County the EERA document then goes on to propose two options for provision for each District. Option 1 is based on the consultants' advice about where need arises. Option 2 adjusts the distribution to increase the minimum level of provision within each Council area to 15 pitches (which is considered to be the number that can be delivered on one site in keeping with best practice advice on the size of sites) and a consequent reduction for those Districts with the highest numbers. The resultant provision for Essex authorities for each option is set out below:

Table 1: EERA Illustrative Options for distribution of net additional residential pitches in Essex

Authority	Option 1	Option 2
Basildon	157	95
Braintree	15	15
Brentwood	15	15
Castle Point	2	15
Chelmsford	87	52
Colchester	6	15
Epping Forest	52	52
Harlow	12	15
Maldon	13	15
Rochford	9	15
Tendring	2	15
Uttlesford	12	15
Southend	0	15
Thurrock	56	56
Essex Total	438	405

The proposed provision for Braintree District is the same under each option at 15 net additional pitches. As the EERA guidance suggests this would equate to providing one further authorised site in the District in addition to the two existing sites at Sandiacres, Cressing and Yeldham Road, Ridgewell. This level of provision is in line with the number of unauthorised sites in the District and likely growth in the number of gypsy and traveller households for the period to 2011. If this provision is accepted the Council will need to undertake a site identification process to examine options for a new site or sites. This work would consider also the status of the Twin Oaks site at Stisted, which is currently the principal unauthorised site in the District. Expressions of interest are currently being sought from consultants to undertake this work.

7. The consultation includes a number of further questions which are set out in Appendix 1 together with a suggested response.

EERA Consultation Document – Planning for Gypsy and Traveller Accommodation in the East of England: Issues and Options

Consultation Questions and Suggested Response

Question 1

Do you think 1,220 net additional residential pitches is a reasonable level of unmet need for residential pitch provision taking into account how this may change over the period until 2011?

Response

The answer to this question will be informed by the work that Richard Fordham Associates have been commissioned to carry out on behalf of the Essex authorities. The current view is that the level of need for Essex has been overestimated and the figure for the region is therefore too high.

Question 2

If you think 1,220 net additional residential pitches is not a reasonable estimate of need what alternative level do you think is a more reasonable estimate of need at 2011? Please make clear why.

Response

The answer to this question will be informed by the work that Richard Fordham Associates have been commissioned to carry out on behalf of the Essex authorities.

Question 3

On the basis of information currently available is it helpful if the Regional Spatial Strategy (RSS) revision seeks to establish a policy on the level of need for transit pitches? And, if so, would it be more helpful to distinguish this provision from the need for residential pitch provision in policy?

Response

There will be a need to provide transit sites in addition to permanent sites. It would be helpful if the RSS revision contained guidance on this separate from residential pitch provision to ensure a consistent approach across the region.

Question 4

Should this revision seek to establish policy on the level of pitch provision beyond 2011? If so, what assumptions should be used to do this and until what year should they be applied?

Response

With a timescale of 2011 the RSS revision will be out of date soon after it is adopted. It should cover a longer period at least until 2016. Growth rates should be based on evidence of the rate of household formation of the local gypsy and traveller population.

Question 5

To what extent is it reasonable to seek to spread the distribution of pitches from the council areas where need is calculated to arise? Will a more dispersed distribution still meet the needs of gypsies and travelers? Would a different pattern of dispersal seeking to re-distribute provision from areas of greatest need into nearby council areas be more appropriate than option 2?

Response

Some redistribution is reasonable but provision must be made in those areas which best meet gypsy and traveller needs.

Question 6

Is it reasonable to accept the principle that each local council area should seek to provide at least one additional site?

Response

Yes but there needs to be evidence that there is a need for the site and if it is provided it will be occupied.

Question 7

In the light of the above consideration of locational issues, is there any evidence to suggest that any council area within the East of England could not make provision for a level of pitches in the order of that shown in the two illustrative options without having an adverse impact on areas of recognised environmental importance? Are there any other environmental or policy constraints that may be so significant to influence the distribution of pitches between council areas?

Response

No. All authorities in the East of England are required to provide additional housing and none have constraints such that it would be impossible to identify a suitable location for at least one gypsy and traveller site.

Question 8

To what extent is it reasonable to rely on the delivery of sites either by gypsies and travellers themselves or by the development industry?

Response

A mixture of public provision and provision by gypsies and travellers and the development industry is probably the best approach. Without public intervention there is a risk that that sites will not be delivered

Question 9

In view of the potential scale of pitch provision needed in the East of England and constraints on public funding available is it reasonable to suggest that most of the need identified is likely to have to be met by provision on exception or other sites that would not normally be granted planning permission for other forms of housing?

Response

It is probable that the majority of sites will be in the form of exception sites. There may be some scope for sites to be identified as part of new neighbourhoods in those areas where large-scale housing allocations are required. There may be scope to achieve sites through section 106 agreements and affordable housing policies.

Question 10

In view of the scale of potential need for new sites identified, is there need to develop new means of providing gypsy and traveller sites, such as through the establishment of some form of specialist delivery organisation?

Response

No. There is no reason why sites cannot be delivered through the normal planning process. However, there will be a need for continued Government funding to support the development of new sites. Agencies such as the Housing Corporation and Registered Social Landlords can also have a role to play.

Question 11

In the light of the proposed draft circular is it appropriate for the revision to seek to identify the number of pitches that should be provided in each Council area to meet the needs of traveling showpeople separately from those to be provided to meet the needs of gypsies and travelers? If so, what evidence is available to inform this and what other issues should be taken into consideration?

Response

As there is a Government requirement for local authorities to meet the needs of travelling showpeople as well as gypsies and travellers it would be helpful if the revision provided guidance on the provision to be made in each Council area. Some evidence is available about existing sites but further work will be required to assess future needs and their distribution.