

SOUTH EAST ENGLAND REGIONAL ASSEMBLY

Partial Review of the South East Plan - Provision of Caravan Sites for Gypsies and Travellers

Brief for Submission of Advice by Local Authorities

1. Introduction and Purpose

- 1.1 This brief sets out the advice requested by the Assembly from all local authorities in the South East on the required provision for permanent and transit caravan sites for Gypsies and Travellers, in order to meet estimated current need (including backlog), future provision and the associated means of delivery.
- 1.2 Advice is requested under Section (5)5 of the Planning and Compulsory Purchase Act. The Assembly has agreed that the principal and district authorities and the New Forest National Park Authority should work in partnership and be appropriately involved in the provision of advice the Assembly in accordance with this brief.

2. Background

- 2.1 This brief is drafted to assist the Assembly in meeting its duties as Regional Planning Body (RPB) in relation to the provision of caravan sites for Gypsies and Travellers as set out in ODPM Circular 1/2006 and commitment to the published draft South East Plan to develop regional policy on this issue as a priority. The review will be carried out in accordance with the project plan and statement of public participation, as agreed by the Regional Planning Committee (RPC) on 20 November 2006 following a six week public consultation exercise which ended on 13 October 2006.
- 2.2 ODPM Circular 1/2006 requires the Regional Spatial Strategy (RSS) to set out a strategic view of needs across the region and identify the number of pitches required for each local authority area. This needs to take account of local authority assessments of need (GTAAs).

3. Aim

- 3.1 The primary aim of the work is to advise the Assembly on the number of Gypsy and Traveller caravan pitches required to meet need across the South East region and how this provision should be provided for strategically and in terms of its phasing and distribution between local authority areas, taking account of evidence emerging from GTAAs.

4. Working Arrangements

- 4.1 The requirement for advice to be provided jointly by principal and local authorities will be facilitated by the advice being submitted by authorities working in partnership in one of the following groupings:
- (a) by the respective GTAA groupings (including the respective principal authorities) or
 - (b) by counties and their constituent districts or
 - (c) by exception, other appropriate groupings of authorities to reflect the geography local need and provision.
- 4.2 It is important to distinguish between the GTAA process and the provision of advice to the Assembly. The former is a technical research exercise, the later a political process. However, for the purposes of reaching political agreement on the advice to be submitted to the Assembly the groupings of neighbouring authorities working in partnership with their respective counties on GTAAs (see Annex B) may form a good basis for continued joint working.
- 4.3 Principal authorities should advise the Assembly no later than **31 January 2007** of the authority partnerships established for the purposes of providing advice to the Assembly. Local authorities should not submit advice on a unilateral basis.
- 4.4 All partnerships will be expected to establish a steering group to formally agree the advice provided to the Assembly. The steering group should comprise a member from each constituent local and principal authority, and representatives from key stakeholder groups as appropriate.
- 4.5 All partnerships will be expected to consult with appropriate delivery agencies, service providers and other stakeholders (e.g. town and parish councils, social landlords, Gypsy and Travellers, social services, police etc) in formulating their advice.

5. Assessment of Need and Distribution of Caravan Pitches

- 5.1 It will be important that where possible the advice provided is underpinned by a robust evidence base in the form of a GTAA. These are at varying stages of completion across the region; however all are scheduled for completion by late spring 2007.
- 5.2 The difficulties of estimating future needs, beyond existing backlog of provision may well be beyond the scope of individual GTAAs. Indeed the level of provision over the longer term will be related to the extent to which outstanding needs are met during the first 5 year period. Hence the estimation of current outstanding need of permanent provision should be phased 2006-2011. Estimates of additional provision covering the period 2011-2016 arising from unmet demand during the first five years or anticipated population growth should also be provided.

- 5.3 Although a GTAA should form a robust and reliable evidence base to underpin policy development, it is recognised that authorities will need to interpret the findings of the GTAA and translate these into pitch requirements at a district level. The geography of need at a district level may in some cases be particularly difficult to determine (for example where GTAAs have estimated need for a large number of authorities covering a wide geographical area). The Assembly has jointly commissioned research with the Department for Communities and Local Government (DCLG), the South West and East of England Regional Assemblies to advise on the factors that will need to be taken into account in determining an appropriate spatial distribution of provision. The findings will be made available to all local authorities in the region as soon as it is available.
- 5.4 In some instances principal and local authorities may consider it appropriate to provide combined figures for adjacent authorities, for example if they do not consider it possible at this stage to identify district based allocations. Where this is the case those authorities should, in accordance with ODPM Circular 1/2006, confirm their intention to produce a joint development plan document.
- 5.5 Where a GTAA has not been undertaken or completed, advice should still be submitted with a clear explanation of the methodology and assumptions employed and an indication of when further evidence will be made available.
- 5.6 In their advice authorities should distinguish between the need for permanent and transit caravan pitches. It is acknowledged that demand for transit accommodation is often, but not always related to the under provision of permanent sites, although there will also be ongoing demand to accommodate seasonal movements. Advice to the Assembly should include an assessment of the nature of demand for transit provision, however it is accepted that it may not be possible to provide estimates of required provision at the level of individual authorities or wider GTAA areas.
- 5.7 Where relevant, advice submitted should take into account the needs of travelling showpeople. Although GTAAs are not required to account for the needs of travelling showpeople, local authorities are required to take account of their accommodations needs as part of their overall housing needs assessment duties under the Housing Act 1985. (Definitions of Gypsies and Travellers and Travelling Showpeople are provided at Annex A)

6. Spatial Options and Sustainability Appraisal

- 6.1 The Sustainability Appraisal regulations require the appraisal of reasonable alternative strategic policy approaches in the development of a Regional Spatial Strategy. Authorities should work in partnership to provide two spatial distributions for a single proposed level of pitch provision within their respective county or GTAA area as follows:

- **Option A** - a distribution which seeks to meet identified needs where they arise as identified through the GTAA and the existence of unauthorised encampments (although this may reinforce existing patterns of provision).
- **Option B** - a distribution which seeks to protect and enhance the natural environment, including its biodiversity¹ and landscape character whilst making best use of previously developed land and existing or planned infrastructure provision; and facilitates access to employment opportunities and local services to support social inclusion.

The options could take the form of differing distributions between districts and / or different distributions between small groups of adjacent districts (with a commitment to develop a joint LDD to identify sites for Gypsies and Travellers).

- 6.2 Authorities will not, at this stage, be required to indicate a preferred option. Preferred options selection must take into account the findings of the Sustainability Option Appraisal, incorporating an Appropriate Assessment as required by the Habitats Directive (Directive 92/43/EEC). This will be undertaken, following receipt of the responses to this brief in June 2007, by independent consultants to be commissioned by the Assembly. The SA will be undertaken in accordance with the SA Scoping Study.

7. Implementation and Delivery

- 7.1 PPS11 (Regional Planning) provides clear guidance on the importance of identifying appropriate implementation mechanisms as part of the draft RSS revision. In order to meet this requirement advice received from local authorities should include the following:
- Advice on the cost and type of facilities required on caravan sites.
 - Estimated implementation costs for proposed level of provision and potential sources of funding.
 - Responsibilities for delivery and management of pitches (by type) - including the role of social landlords.
 - Anticipated timing of preparation of relevant LDD documents setting out site allocations for gypsy and traveller caravan pitches.
 - Advice on the strategic site location criteria which the RSS should include to inform the preparation of relevant LDDs.
 - Anticipated split between public and private provision of pitches.

¹ Advice submitted should take account of the EU Habitats Directive (Directive 92/43/EEC).

- The implications of the diversity of the Gypsy and Traveller population in an area for the appropriate size and number of caravan sites.

8. Required Outputs

8.1 The advice submitted to the Assembly should include:

- District based figures for permanent caravan pitches or the equivalent for small groupings of adjacent authorities (these should incorporate any provision required for travelling showpeople).
- Two spatial options for the distribution of pitches between county, GTAA or other appropriate groupings of authorities.
- Qualitative assessment of the demand for and type of transit provision and how this may be impacted by an increase in the provision of permanent caravan pitches.
- Advice on additional implementation and delivery issues as specified in paragraph 7.1 above.
- The relevant GTAAs and any other evidence used to inform the advice submitted, including any policy assumptions employed (e.g. household size, concealed demand etc).
- An explanation of how key stakeholders (specifically including the Gypsy and Traveller communities) have been involved in the GTAA and subsequent processes leading up to the submission of the advice.
- Site specific data on existing provision of Gypsy and Traveller Caravan Sites including:
 - (a) location (grid reference or boundary line),
 - (b) ownership (public vs. private),
 - (c) type (permanent vs. transit), and
 - (d) size (number of pitches).

A template for the provision of this data is attached as Annex C. Caravan site data should be provided no later than **30 April 2007**

9. Timetable

9.1 Advice to the Assembly should comprise all outputs identified in section 7 accompanied by the relevant GTAAs (where available) and should be provided electronically and in hard copy to the Assembly by **01 June 2007**.

10. Other relevant research

- 10.1 The Assembly, DCLG, the East of England and South West Regional Assembly have jointly commissioned a study team led by the Centre for Urban and Regional Studies at the University of Birmingham to develop a methodology for benchmarking GTAA's and to provide guidance on issues to take into account when translating GTAA assessment of need into proposals for pitch provision and distribution. The study will also be analysing the demographic and migratory characteristics of the Gypsy and Traveller population and likely future trends in population and household change. The study is due to report before the end of the year and the Assembly will make the key findings available to local authorities in the region.

**South East England Regional Assembly
1 December 2006**

ANNEX A - DEFINITIONS

There are two definitions for the term Gypsies and Travellers as set out within DCLG's consultation paper 'Definition of the term 'Gypsies and Travellers' for the purposes of the Housing Act 2004' (February 2006):

The Planning Definition

Persons of nomadic habitat of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.

The Planning Definition is cited within Circular 01/06.

Housing Definition

Persons of nomadic habitat of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism and/or caravan dwelling.

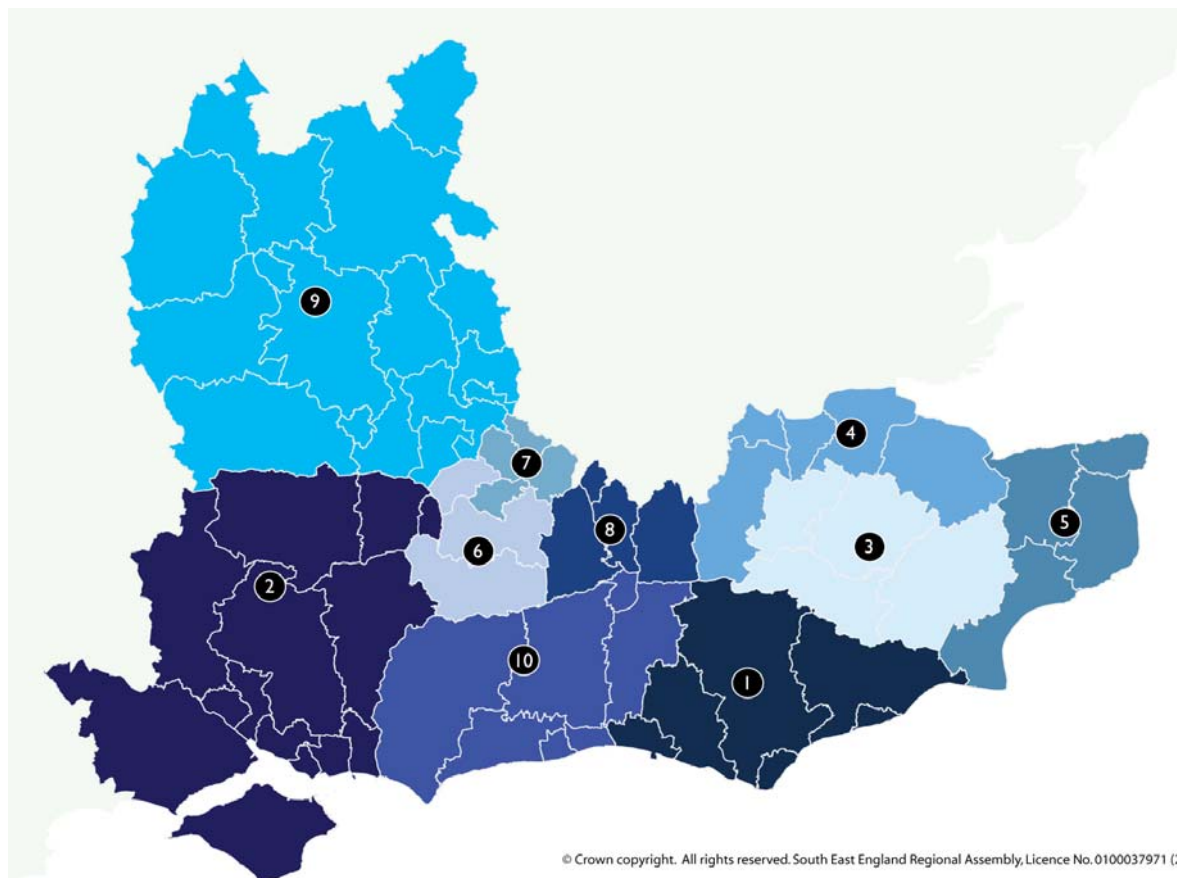
The Housing Definition is cited within the Gypsy and Traveller Accommodation Assessments Draft Practice Guidance.

Travelling Showpeople²

Circular 22/91 describes showpeople as self-employed business people who travel the county holding fairs, chiefly during the summer months. Although their work is of a peripatetic nature, showpeople nevertheless require secure, permanent bases for the storage of their equipment and more particularly for residential purposes.

² A revised definition for Travelling Showpeople is anticipated in late December 2006.

ANNEX B: SCHEDULE OF GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENTS



GTAA Areas for the South East

1. East Sussex and Brighton
2. Hampshire, Southampton, Portsmouth and Isle of Wight
3. South Kent
4. North Kent
5. East Kent
6. West Surrey
7. North Surrey
8. East Surrey
9. ACTVaR
10. West Sussex