

Committee	Cabinet
Date	28 July 2008
Report By	Director of Transport and Environment
Title of Report	Partial Review of Regional Spatial Strategy for the South East - Provision for Gypsies, Travellers and Travelling Showpeople
Purpose of Report	To set out proposals for the County Council's response to the Government Consultation on the submitted Review.

RECOMMENDATION: The Cabinet is recommended to authorise the Director of Transport and Environment to submit representations on the Partial Review:

- 1. supporting the proposed requirements for net additional permanent pitch provision for Gypsies and Travellers and travelling showpeople for 2006-2016; and**
 - 2. supporting the principle of delegating back to Local Authorities responsibility for determining the appropriate level of provision for transit and temporary stopping purposes based on local assessment of need.**
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1. Financial Appraisal

1.1 There are no financial implications arising directly from this report. It is for Local Development Frameworks to allocate sufficient site provision to deliver the additional pitch provision to meet requirements set out in the Partial Review. This does not necessarily imply further public provision or management of sites by the County Council, although it does have a role in the multi-agency approach outlined below. The need for any additional investment in new or refurbished sites would be considered as part of the Reconciling Policy and Resources process through a bid to the capital programme.

2. Supporting Information

2.1 The Government Office for the South East has initiated the formal consultation on the Partial Review of the South East Plan submitted to the Secretary of State by the Regional Assembly (now the SE England Partnership Board). The Review contains a new policy and supporting text for the provision of additional pitches to accommodate the requirements of the Gypsy and Traveller community. The submitted documentation is available at the GOSE website: <http://www.gos.gov.uk/gose/planning/regionalPlanning/824411/>. Responses to the consultation must be submitted by 1 September and will help to decide the issues for the Examination in Public.

2.2 When finally approved the Partial Review will be included in the South East Plan (SEP) as part of the Regional Spatial Strategy (RSS) with statutory development plan status. The new Partial Review policy proposes the number of additional permanent pitches required in each district area for Gypsies and Travellers and Travelling Showpeople. Identifying and allocating the necessary sites to achieve the required number of pitches is a matter for the Local Development Frameworks (LDFs) prepared by borough and district councils which must conform with the RSS. However, the County Council has developed a multi-agency strategy and action plan which seeks to strike a balance between the needs of the settled and travelling communities and adequate site provision is a key part of that strategy.

2.3 The Partial Review proposals were submitted to the Secretary of State for Communities and Local Government by the Regional Assembly after it had considered the results of the public consultation on options for the number and distribution of future pitch provision undertaken during Autumn 2008. It proposes a regional total of 1,064 additional permanent residential pitches for Gypsies and Travellers and 302 pitches for Travelling Showpeople for the 2006 to 2016 period. These figures are disaggregated to give a target

provision for each local authority area to be met in their respective LDFs. The distribution among counties and the East Sussex authorities is set out in the attached appendix.

Permanent Residential Pitch Provision

2.4 The regional total of additional pitch provision for Gypsies and Travellers is based on regionally audited evidence and advice of need provided by county groups of local authorities (including Brighton & Hove in our case). However, the distribution of proposed pitch provision among local authorities in the Partial Review has modified the local need assessments by redistributing 25% of the total regional requirement. As a result, some authorities' target figures are higher and others' lower than their local need assessments. This is designed to achieve a more equitable distribution of pitches across the region.

2.5 In its response to the 2008 consultation on options the County Council criticised the arbitrary nature of regional redistribution and instead expressed a preference for options based on our local assessment of needs in the county. Nevertheless, the principle of redistribution was generally supported during the public consultation. The net effect of the Partial Review's redistribution on East Sussex constitutes only a small numerical increase in pitch numbers. For the County Council's area the Partial Review requires provision for 42 additional residential Gypsy and Traveller pitches and 7 for Travelling Showpeople, compared to 33 and zero respectively in our advice on local needs. By including Brighton & Hove the requirements are 55 and 9 pitches respectively, which remains the lowest target in the region. On this basis I recommend the County Council supports the proposed pitch requirements.

Transit Pitch Provision

2.6 Because of the complexity of the issue and a lack of robust evidence, the Partial Review does not propose any numerical targets for transit site provision. Instead it proposes delegating back to Local Authorities the requirement to make "appropriate provision" in LDFs "to meet requirements for transit and temporary stopping places". Supporting text suggests County groupings of authorities should work together to assess transit need locally and determine an appropriate amount and distribution. This approach should be supported and any attempt to impose arbitrary numerical targets opposed. The provision of a new transit site (Bridie's Tan, Southerham, Lewes) in East Sussex will be highlighted.

3. Environmental Issues

3.1 These would be addressed by the borough and district councils in their LDFs as specific sites are identified and allocated. The aim in making proper permanent provision to meet the backlog of need is to minimise adverse impacts from unauthorised encampments.

4. Conclusion and Reason for Recommendation

4.1 The targets for additional pitch provision should be supported. They broadly seem to reflect the public consultation response and would comfortably meet the locally assessed need in the East Sussex area. Making adequate permanent site provision is an essential building block in the work to minimise unauthorised encampments and meet local need. No numerical targets for transit provision are proposed as there is insufficient robust evidence to justify any. The Partial Review's approach of assessing transit site requirements and making provision locally should also be supported.

RUPERT CLUBB

Director of Transport and Environment

20 JULY 2009

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BACKGROUND DOCUMENTS

Final Advice by East Sussex Authorities to Regional Assembly on Additional Pitch Requirements for Gypsies, Travellers and Travelling Show people, October 2007.

Partial Review of the Regional Spatial Strategy for the South East - Provision for Gypsies, Travellers and Travelling Showpeople, June 2009.

APPENDIX

PARTIAL REVIEW OF REGIONAL SPATIAL STRATEGY FOR THE SOUTH EAST - PROVISION FOR GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE

PROPOSED RESPONSE TO GOVERNMENT CONSULTATION ON SUBMITTED PROPOSALS

Introduction

1 In September 2008 the Regional Assembly published a Consultation Draft of the Partial Review for public comment. It contained a number of options for the scale and distribution of proposed additional pitches to accommodate the requirements of Gypsies and Travellers and Travelling Showpeople. The County Council considered the options at Cabinet in November 2008 and resolved to support the two options for the scale and distribution of additional pitches that were based on the local assessments of need conducted by the Local Authorities. The reasons for this centred on our view that these options were more sensitive to meeting the needs of the travelling community than the other options based on different levels of regional redistribution.

2 The Regional Assembly considered the views expressed during the consultation period and agreed a preferred option that includes a regional redistribution of 25% of the total requirement. The 25% redistribution is via a regional formula reflecting the distribution of land without major environmental constraints and projected population growth of each authority.

Some regional redistribution was supported by a majority of consultation responses. The rationale seems to be to achieve a more even distribution of new pitches, but is otherwise quite arbitrary. The effect of this is to increase the requirement for authorities with low levels of locally assessed needs and to reduce it for those with higher needs. It can be argued that this also offers a wider choice of locations for travellers.

3 The preferred option was submitted to the Secretary of State for Communities and Local Government as a formal Partial Review of the Regional Spatial Strategy (RSS) - the South East Plan (SE Plan). The SE Plan itself is now finally approved.

4 The Government Office for the South East (GOSE) has now published the submitted Review for its final statutory consultation. The consultation documents are available on line at: <http://www.gos.gov.uk/gose/planning/regionalPlanning/824411/>. The consultation period runs until 1 September 2009.

5 Following this consultation period there will be an Examination in Public where issues will be publicly discussed before an independent Panel of inspectors appointed by the Secretary of State. This is expected to take place in early 2010. The responses to this round of consultation will help to determine the nature of issues to be discussed at the Examination.

6 When finally approved by the Secretary of State, the Review will be incorporated into the RSS and form part of statutory development plan. As such, it will set the context for Local Development Frameworks (LDFs) prepared by borough and district councils. The Partial Review only gives the number of additional pitches required by district area. It will then for the LDFs to identify and allocate the necessary sites to achieve their respective number pitches required.

7 The Assembly's consultation proposals are set out below in more detail together with a commentary that is proposed as the basis of the County Council's formal response to the consultation.

The Partial Review Proposals

7 The part of the Partial Review that would be incorporated into the SE Plan comprises a new policy H7 and its supporting text. The Partial Review consultation document also

includes an account of the background work leading up to the proposed new policy, including the results of the 2008 consultation on different distribution options.

8 The proposed new policy states:

**POLICY H7:
PROVISION FOR GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE**

Local Planning Authorities will make provision in Local Development Documents to deliver 1,064 net additional permanent residential pitches for Gypsies and Travellers in the period 2006-2016, and 302 for Travelling Showpeople, as set out in Table H7a which details pitch requirements by local authority. Local Planning Authorities will also make appropriate provision in Local Development Documents to meet requirements for transit and temporary stopping purposes.

Permanent Pitch Provision

9 Table 7a, to which the policy refers, contains the proposed additional pitch provisions together with the baseline number of pitches that existed in 2006. Reproduced below are summary figures for the regional and each county and the district distribution for East Sussex.

Permanent residential pitch baseline and net additional pitch requirements 2006 - 2016

County Grouping	Gypsies and Travellers		Travelling Showpeople			
	2006 Baseline	2006 - 16 Requirement	2006 Baseline	2006 - 16 Requirement		
Berkshire	214	77	46	12		
Bucks / Milton Keynes	194	114	15	28		
East Sussex	43	55	5	9		
Hampshire / Isle of Wight	160	143	117	121		
Kent	546	290	48	28		
Oxfordshire	202	62	58	37		
Surrey	336	146	116	53		
West Sussex	173	177	25	14		
SOUTH EAST TOTAL	1,868	1,064	431	302		
Local Authority Area						
Brighton & Hove	0	(14)	13	0	(0)	2
Eastbourne	1	(1)	3	3	(0)	1
Hastings	1	(3)	2	0	(0)	1
Lewes	11	(10)	10	0	(0)	1
Rother	8	(3)	7	1	(0)	1
Wealden	22	(16)	20	1	(0)	3
ESCC Area Total	43	(33)	42	5	(0)	7

10 The figures in brackets in East Sussex section of the above table constitute the level and pattern of need for permanent pitches that we assessed locally and which formed part of our advice to the Regional Assembly. This was also our stated preference during the 2008 consultation on options.

11 As can be seen, the proposed pitch provision for Gypsies and Travellers in East Sussex is only 9 more than our preferred option (42 minus 33) and the differences at borough/district level are no more than 4 pitches. All the proposed provision for Travelling Showpeople is above our assessment of no need, based on the views at the time of the

local representative of the Guild of Travelling Showmen. The proposed target requirement for pitches for Travelling Showpeople is the result of a wider regional consideration of needs by the Guild of Travelling Showmen and also incorporates a redistribution of 25% of the regional total.

Comment

12 *While the County Council criticised the regional redistribution approach in its response to the options consultation, I consider there are a number of reasons why the County Council should no longer pursue an objection to the proposed new targets and instead support them.*

- *Some degree of redistribution was preferred by a majority of all respondents during the consultation.*
- *The Partial Review proposals are only slightly higher than our original preferred option and all authorities would have to make some provision.*
- *The East Sussex targets are still considerably lower than almost everywhere else in the region, (although this is a reflection of assessed need).*
- *The proposed targets would comfortably meet the level of need we assessed.*
- *The Partial Review targets are the result of the less aggressive of the two regional redistribution options considered - the other would have redistributed 50% of all requirements and led to a larger requirement for East Sussex.*

Transit Pitches Provision

13 The Partial Review contains no specific numerical targets for meeting transit needs of Gypsies and Travellers. This is because there are no complete or reliably robust data on which to base such district level targets. The Regional Assembly instead decided to adopt an approach that in effect delegates back to local authorities the responsibility for reassessing the needs locally and making appropriate provision for them in LDFs.

14 By way of illustration, however, the document outlines an indicative scale of requirement at county level. This is based on the method suggested by Government that assumes the difference between summer and winter levels of unauthorised camping constitutes demand for transit (as opposed to permanent) pitches. This seasonal difference averaged over the 2004 to 2007 period is shown to be 147 caravans across the region of which 60 relate to East Sussex and Brighton & Hove. The “need” indicated this way is actually negative in some county areas, illustrating the shortcoming of this method. Clearly the evidence used here is not robust. The scale of unauthorised encampments uses the main source of national published data, which is based on snapshot caravan counts undertaken only twice a year. Furthermore, it is also recognised that providing more permanent residential pitches would be likely to reduce the incidence of unauthorised camping.

15 The Regional Partnership Board (ex-Regional Assembly) is currently undertaking some research on regional travelling patterns with the assistance of local authorities and more detailed local information. It is expected that this work will be available for the Examination in Public. This is expected to provide some further regional scale evidence that might help local authorities in planning for transit site needs.

Comment

16 *The East Sussex group of authorities did follow the seasonal difference method to illustrate potential transit demand in the original advice we provided to the Assembly in October 2007. It showed an excess of 39 caravans in summer over the winter level for the 2004 to 2006 period for East Sussex and Brighton & Hove. By extending the relevant survey period by one year to cover the 2004 to 2007 period, a 50% increase in “need” emerges, revealing how volatile this approach also is.*

17 *Therefore, I recommend the County Council supports the Partial Review's approach to delegating back to local authorities the task of identifying and planning for transit demands in their areas. Although not proposed, we should oppose any attempt that seeks to impose numerical targets based upon the above method utilising what are unreliable national data. A far better approach is for local authorities to make use of their own locally available information to undertake this task. Indeed the supporting text in the Partial Review advocates doing this on a county area basis and this should also be supported.*

Next Steps

18 This round of public consultation is the last opportunity to comment on the issue of planning for the travelling community before the Examination in Public (EiP). The consultation responses to the proposals in the Partial Review submitted to the Secretary of State will help crystallise the matters to be discussed at the EiP. The EiP is expected to take place early in 2010 with final approval anticipated before the end of 2010.

19 It is important to remember though that making provision for sites for Gypsies and Travellers and Travelling Showpeople need not await the final approval of this Partial Review to the SE Plan, especially where there is a compelling need.