

APPENDIX H

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 3 NOVEMBER 2008

Title:

**CONSULTATION ON SOUTH EAST PLAN PARTIAL REVIEW: GYPSIES,
TRAVELLERS AND TRAVELLING SHOWPEOPLE**

[Portfolio Holder: Cllr Carole Cockburn]

[Wards Affected: All]

Summary and purpose:

The South East England Regional Assembly (SEERA) is holding a public consultation on the number and distribution of new Gypsy, Traveller and Travelling Showpeople pitches across the region. The purpose of this report is to determine the Council's response to this consultation.

How this report relates to the Council's Corporate Priorities:

The Consultation will assist the South East England Regional Assembly in determining the number of additional pitches that will be required in Waverley to meet the future needs of Gypsies, Travellers and Travelling Showpeople. In due course, it will be necessary for the Council to show how this requirement will be met through the Local development Framework (LDF). This clearly relates to the Council's priority of protecting and enhancing Waverley's unique mix of rural and urban communities. It also relates to the priority of improving lives.

Equality and Diversity Implications:

There are equality and diversity implications, because this consultation is part of the process of ensuring that the planning takes account of the future needs of these specific minority groups.

Resource/Value for Money implications:

There are no resource implications arising from this report. There will be resource implications in the future which will be dependent on the number of additional pitches the South East Plan requires Waverley to provide and the options the Council has for delivering these through the Local Development Framework.

Legal Implications:

There are no legal implications arising from this report.

Introduction

1. The South East England Regional Assembly (SEERA) is required to carry out a partial review of the South East Plan, in order to determine the number of additional pitches required across the region in order to meet future needs of Gypsies, Travellers and Travelling Showpeople. The first stage of this is to consider the options for doing this. SEERA has produced a range of possible options and is now consulting on these. The public consultation will run from 1st September to 21st November.

Background

2. In 2007 David Couttie Associates (DCA) produced a Gypsy and Traveller Accommodation Assessment (GTAA) on behalf of the 'West Surrey Group' of local authorities, comprising Waverley, Guildford Borough and Surrey Heath. The GTAA was based on the methodology set out in Government guidance, with the aim of identifying the future need for accommodation in the West Surrey area.
3. Members may recall that in October last year the Executive considered a report relating to the response to information that SEERA was seeking on future needs of Gypsies, Travellers and Travelling Showpeople. SEERA was compiling information from all the GTAAs carried out across the region to inform the work it was doing on the partial review of the South East Plan. The Executive approved the joint submission that was being made on behalf of Waverley, Guildford and Surrey Heath. This response was mainly contained in a proforma, which contained questions about the GTAA and its findings. Whilst the GTAA was based on a robust methodology, there was a concern, reflected in the joint response, that the methodology set out in Government guidance reinforces the current distribution of pitches and places no requirement on those areas currently not providing pitches. It was considered that this approach denies Gypsies and Travellers the freedom of choice in where to live and continues to place the responsibility for provision on those areas that are already providing the most accommodation.
4. Since October last, SEERA has been assessing the information submitted by the various local authorities/groups of authorities about identified needs in their areas and identifying the options for the future distribution of pitches. This consultation is the result of that work.

The Consultation

5. The consultation deals with the needs of Travelling Showpeople separately from the needs of Gypsies and Travellers. However, the broad options are essentially the same, namely:
 - **Option A:** New spaces should all be provided as close as possible to where Gypsies and Travellers currently live. This means that some Council areas have no spaces.

- **Option B:** New spaces should all be in the same general areas where Gypsies and Travellers currently live. Neighbouring Councils would share the duty for providing new spaces but some Council areas would have none.
- **Option C:** Half the new spaces should be in the same general area where Gypsies and Travellers currently live. The other half would be spread across the region to make sure that all areas provide some spaces.
- **Option D:** Most new spaces would be in the same general areas where Gypsies and Travellers currently live. A quarter would spread across the region to make sure that all areas provide some spaces.

6. As far as the three 'West Surrey' authorities are concerned, the proposed distribution of pitches for Gypsies and Travellers for the period 2006 to 2016 is as follows:

	Option A	Option B	Option C	Option D
Guildford	32	33	19	26
Surrey Heath	7	9	7	8
Waverley	39	39	23	31

7. With regard to travelling Showpeople, the equivalent information for the West Surrey Group is as follows:

	Option A	42 Families Allocation by C/D approach	Option C 50% pooled plus share of 42	Option D 25% pooled plus share of 42
Guildford	15	1	9	12
Surrey Heath	10	0	6	8
Waverley	2	0	2	2

8. The reference in the above table to 42 families relates to the fact that it has not been possible to attribute 42 homeless Showpeople families to any particular area, so their needs have not been addressed in the assessments submitted to SEERA.
9. Attached as Annexe 1 is a copy of the consultation document from SEERA, explaining the background and details of the consultation and setting out the proposed distributions for all authorities in the south east.

Proposed Response

10. As before, the aim is to produce a joint response on behalf of Waverley, Guildford and Surrey Heath. To this end, officers have been liaising with colleagues from these authorities to put together the suggested response. This is largely set out in the SEERA questionnaire, supplemented by a covering letter. Attached as Annexe 2 is a copy of the proposed response. This will continue to evolve as the respective authorities consider the consultation. The covering letter provides the opportunity to amplify the responses to the questionnaire.

11. Of the options presented, officers recommend Option C, which includes a redistribution of 50% across the region. This is consistent with the Council's previous concerns about the methodology for the GTAAs reinforcing current distributions and placing no requirement on those areas that are currently not providing pitches. A number of comments are made to support this general view. For example, the comment that environmental constraints should also be considered when determining the most suitable distribution of new pitches across the region. The Council's Housing Needs manager has commented that, from experience in dealing with the local Gypsy and traveller community, there is a local need for additional accommodation. However, this is not quantified. Clearly even if the maximum redistribution option were to be chosen, there would still be a requirement to provide a further 23 pitches to meet local needs for Gypsies and Travellers in Waverley for the period 2006 – 2016.
12. On the specific issue of the needs of Travelling Showpeople, Members may recall the unauthorised development and subsequent enforcement action regarding the Fairhaven Group, which owns land in Waverley off the Horsham Road, near Cranleigh. The opportunity has been taken to remind SEERA that this group does not reside in either Waverley, Guildford or Surrey Heath and that the requirements of this group should be addressed at the regional level.

Conclusion

13. Officers consider that it is important to re-state the previous concerns about the distribution of pitches and that the Council should support the option that would require the redistribution of pitches.

Recommendation

That the Executive:

1. Agrees the response to the consultation as set out in Annexe 2; and
2. Authorises the Head of Planning, after consultation with the Portfolio Holder for Planning, to agree any necessary drafting amendments to the joint submission before the end of the consultation period on 21 November 2008.

Background Papers (CSP)

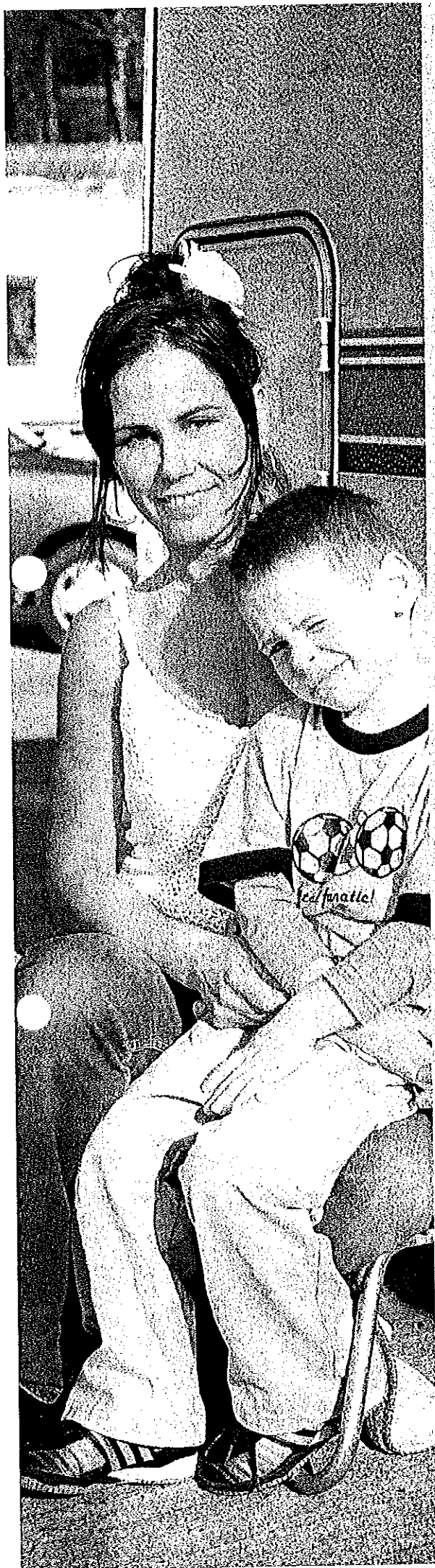
Consultation documents produced by SEERA

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Executive summary and how to respond

What is this consultation about?

The South East England Regional Assembly is seeking your views on providing places to live for Gypsies, Travellers and Travelling Showpeople in the South East. In response to new Government requirements, we are updating the South East Plan – our 20 year planning framework for the region – to identify how many new spaces should be provided in each council area.

For more information about the Assembly and the South East Plan please see our website www.southeast-ra.gov.uk

What are the main consultation issues?

The main issues for comment are:

- The proposed number of new spaces for Gypsies, Travellers and Travelling Showpeople in the South East up to 2016
- Four options for deciding how many spaces go in each council area.

How many spaces are needed?

Council advice, based on technical assessments, indicates that by 2016 the South East needs 1,064 new spaces for Gypsies and Travellers, and up to 274 spaces for Showpeople.

This works out at an average of about an acre of land in each council area. Roughly speaking, that means four spaces for Gypsies, Travellers and Travelling Showpeople for every 1,000 new homes in the region.

What are the options for deciding where spaces go?

The options suggest different ways to meet the overall number of spaces, and we want to know which option you prefer.

Option A

New spaces should ALL be provided as close as possible to where Gypsies and Travellers currently live. This may mean some council areas have no spaces.

Option B

New spaces should ALL be in the same general areas where Gypsies and Travellers currently live. Neighbouring councils would share the duty for providing new spaces but some council areas would have none.

Option C

HALF the new spaces should be in the same general areas where Gypsies and Travellers currently live. The other half would be spread across the region to make sure that all areas provide some spaces.

Option D

MOST new spaces should be in the same general areas where Gypsies and Travellers currently live. A quarter would be spread across the region to make sure that all areas provide some spaces.

Gypsies, Travellers and Travelling Showpeople spaces are currently unevenly spread in the region. Options A and B would continue that uneven spread, with most new spaces in areas where there are already a higher number of spaces. Options C and D share provision of spaces more widely, taking account of job opportunities, services and environmental constraints in each area.

Where will individual sites go?

The South East Plan will identify how many spaces are needed in each council area, but not the location of sites. Local councils are responsible for identifying suitable locations through their own Local Development Frameworks. Each council will have its own timetable, and its own public consultation arrangements. Government has asked local councils to find suitable locations as quickly as possible, and some have already started.

Why make special plans for Gypsies and Travellers?

This process is not giving Gypsies and Travellers special treatment. We already follow the same process for other types of housing need and homelessness.

This consultation reflects a change in Government requirements that means councils have to assess and meet Gypsy and Traveller housing needs in the same way as other housing needs, including providing land for new sites. Everyone is entitled to have somewhere safe and secure to live, but in the past the system has not worked well for Gypsies, Travellers and Travelling Showpeople. One in four Gypsy, Traveller and Showpeople families living in caravans or mobile homes are homeless, as they have no legal place to stop – making it difficult to access services such doctors or schools.

Without new spaces, Gypsies and Travellers may have to resort to unauthorised sites, a source of tension with settled communities, cost to local authorities for enforcement and wasting public money moving on people who have nowhere else to go. Providing the right number of new spaces in the right locations should benefit everyone in the long run.

Why can't Travellers live in houses like everyone else?

Gypsies and Travellers are recognised ethnic minorities, and the courts have established that they have a right to live their traditional lifestyles – living in caravans or mobile homes and travelling.

Travelling Showpeople, including circus people, are not an ethnic group. They are small business operators who travel to pursue their livelihoods, which are often longstanding, family-run businesses. They need a permanent home base with storage and maintenance areas for their show or fairground equipment, including travelling vehicles and, in some cases, animals.

Who will pay for the new spaces?

The South East has £18 million of Government funding for 2008-2011 to help councils and housing associations provide new spaces and upgrade existing Gypsy and Traveller sites.

Some Gypsies and Travellers, and a majority of Travelling Showpeople, own their own sites. Making more land available with planning permission would allow others to buy or rent a place to live.

Who is being consulted?

We want to hear from everyone in the region including the settled community; Gypsies, Travellers, and Showpeople; local councils and any other groups or organisations that wish to contribute.

Where can I find more information?

For further information including technical reports and background material please see our website www.southeast-ra.gov.uk/consultation

How do I participate?

Please read this document and complete our consultation questionnaire. Responses should be sent to the Regional Assembly by **5pm on Friday 21 November 2008** at the latest.

We would prefer to receive your response via our online response questionnaire at www.southeast-ra.gov.uk/consultation

Alternatively you can email your response to:
secretariat@southeast-ra.gov.uk

or post it to:

GTTTS Consultation
South East England Regional Assembly
Berkeley House, Cross Lanes
Guildford GU1 1UN.

Please do not submit duplicate postal and electronic responses.

If you would like extra copies of this consultation document please download it from www.southeast-ra.gov.uk/consultations.html or request hard copies by calling 01483 555 202.

Copies are also available for public inspection in reference libraries and council offices.

What happens next?

We will consider your views once consultation has closed to help us identify the appropriate level of spaces needed and select a preferred option for distributing spaces across council areas. This option may be one of the four in this document, or an alternative approach may emerge through the consultation process.

We hope to gain full Assembly approval of the way forward in March 2009, and to submit it to the Government in April 2009. There will then be further public consultation, managed by the Government Office for the South East, probably followed by an Examination in Public in front of independent planning inspectors.

We anticipate that the new policy and allocations will be adopted by Government in 2010.

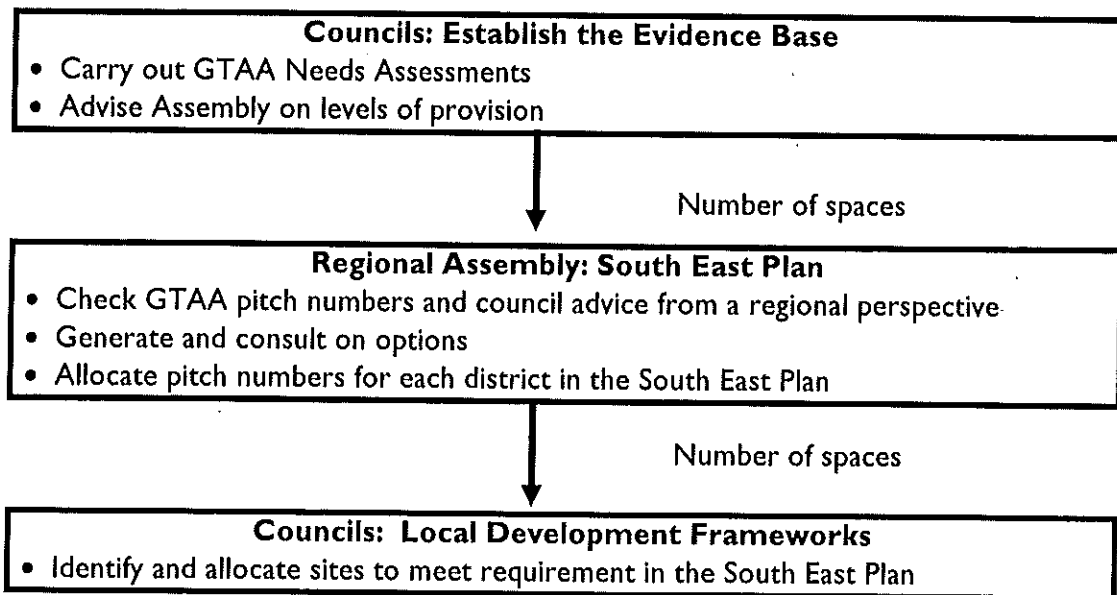
1. Introduction

- 1.1 This document is an important step in the review of the South East Plan covering Gypsies, Travellers and Travelling Showpeople. The objectives of the review are to identify the level of accommodation needed, determine how it should be distributed to local authority areas and to consider how it will be provided.
- 1.2 This public consultation marks the end of the needs assessment stage. We must now translate technical work and council advice into a robust and deliverable policy.

2. Policy context

- 2.1 Gypsies and Irish Travellers fare the worst of any British ethnic group in terms of health and education and often face discrimination. The lack of permanent sites increases the difficulties in registering for a school or healthcare:
- Life expectancy for Gypsy and Traveller men and women is 10 years lower than the national average
 - Gypsy and Irish Traveller mothers are 20 times more likely than other mothers to have experienced the death of a child
 - 30% of Irish Traveller and 13% of Romany Gypsy children obtained five GCSEs at A*-C grades, compared to a national average of just over half
 - Gypsy and Travellers are twice as likely to suffer a long-term illness, compared to the settled population.
- 2.2 The Housing Act (2004) introduced the requirement that local authorities undertake Gypsy and Traveller Accommodation Assessments (GTAAAs) alongside reviews of the housing needs of the rest of the community. They must then develop a strategy to meet identified needs. The assessment should also consider the needs of Travelling Showpeople, including circus people.
- 2.3 Government requires the Regional Spatial Strategy (the South East Plan) to identify the number of caravan spaces required (but not their location) for each local planning authority in the light of local authority GTAAAs and a strategic view of needs across the region (Planning Circular 01/2006 *Planning for Gypsy and Traveller Caravan Sites*, CLG February 2006).
- 2.4 Circular 04/2007 *Planning for Travelling Showpeople* (CLG August 2007) extends the approach in Circular 01/2006 to Travelling Showpeople, including circus people. Figure 1 below illustrates the process, which culminates in local authorities identifying land in their Local Development Frameworks (local plans) in line with the level of provision identified in the South East Plan.

Figure 1: Review process



- 2.5 In 2006 Government also established a Task Group on Site Provision and Enforcement, in response to public concern about Gypsy and Traveller encampments in unauthorised locations. The conclusions of the Task Force reaffirm Government policy objectives, which form the context to this consultation. They state:

'Our primary message is that it is essential both to increase the number of authorised sites for Gypsies and Travellers and to do so quickly. Without levels of accommodation that are commensurate with need, unauthorised encampments and developments and the attendant problems they can cause are not only likely, they are inevitable.'¹

3. Gypsies, Travellers and Travelling Showpeople in the South East

- 3.1 The south east is home to approximately 19% of England's caravan-based Gypsy and Traveller population. Tables 1 and 2 (and map) below show the spread and tenure of pitches and caravans at county level (each pitch is intended to accommodate one household; households have on average 1.7 caravans). Transit pitches are intended to provide temporary accommodation for use whilst travelling, but due to site shortages are often permanently occupied. The number of Gypsies and Travellers living in housing is not known at either local or national level.
- 3.2 The Government data in table 2 shows that 22% of Gypsies and Travellers living in caravans or mobile homes in the South East have no authorised place to stop and so are legally homeless. Two thirds live on land they own without planning permission (at risk of eviction) but the remainder stop where they can and trespass on others' land.

¹ The Road Ahead: Final Report of the Independent Task Group on Site Provision and Enforcement for Gypsies and Travellers (December 2007)

3.3 Figures and maps for each council are available on our website.

Table 1: Authorised Gypsy & Traveller Pitches in the South East (mid 2006 baseline)

County Group	Residential Pitches		Transit Pitches		Total Pitches	
	Council sites	Private sites	Council sites	Private sites	County total	Average council
Berkshire Unitaries	120	79	0	7	206	34
Buckinghamshire & Milton Keynes	89	86	14	5	194	39
East Sussex, Brighton & Hove	27	7	33	0	67	11
Hampshire, Isle of Wight	93	48	0	0	141	10
Kent & Medway	220	221	1	0	442	34
Oxfordshire	80	142	0	0	222	44
Surrey	210	139	5	35	389	35
West Sussex	121	52	0	3	176	25
Total South East	960	774	53	50	1837	27
	52%	42%	3%	3%		

Data: Council records, GTAA's and CLG Caravan Count

Each pitch typically accommodates one household with 1.7 caravans or mobile homes

Table 2: Location and tenure of Gypsy and Traveller caravans in the South East

County Group	Authorised sites		Unauthorised sites		Total	% Unauthorised
	Public	Private	Own land	Others' land		
Berkshire Unitaries	121	89	7	10	227	7%
Buckinghamshire & Milton Keynes	141	100	73	8	322	25%
East Sussex, Brighton & Hove	38	15	15	57	125	58%
Hampshire, Isle of Wight	138	57	49	65	309	37%
Kent & Medway	295	450	207	40	992	25%
Oxfordshire	134	183	10	11	339	6%
Surrey	266	262	82	3	614	14%
West Sussex	123	54	28	37	243	27%
Total South East	1256	1210	473	231	3169	22%
	40%	38%	15%	7%		

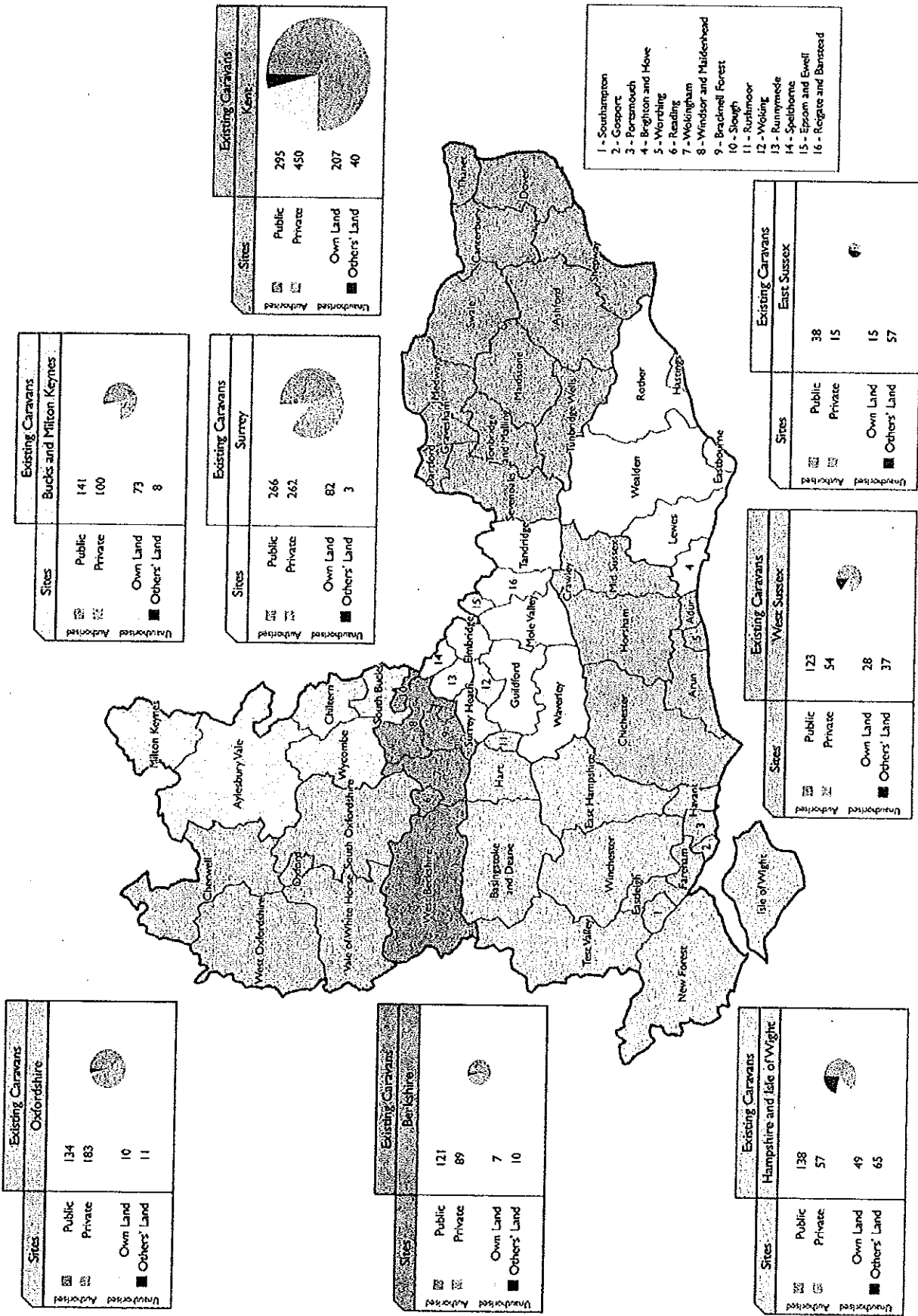
Data: CLG Bi-annual Caravan Count (averaged values for the last five counts Jan 2006 to Jan 2008)

Total caravans have increased from 2864 in Jan 2006 to 3420 in Jan 2008 (+19%)

Households typically have 1.7 caravans or mobile homes

- 3.4 Travelling Showpeople, including circus people, are self-employed business people who travel in pursuit of their livelihoods, running fairs and shows. Their businesses are often longstanding and family-run, and they require a home base with sufficient land to store and maintain fairground equipment and sometimes animals. There are approximately 450 households in the region, and many own their own land or rent privately. Around a quarter are based in Hampshire, a quarter in Surrey, a quarter in the Thames Valley, with the remainder in Kent and Sussex.

Location and Tenure of Gypsy and Traveller Caravans in the South East



Source: CLG Caravan Count January 2008 (average of 5 last counts)
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4. South East Plan context and progress

- 4.1 Government Circular 01/2006 was published shortly before the Assembly submitted the Draft South East Plan, and before GTAA's had been carried out. The Plan therefore provided an interim statement and commitment to review the issue. This was updated in July 2008 with publication of Government's proposed changes to the Plan (Annex A²).
- 4.2 The project plan³ for the review was agreed in December 2006 following consultation with councils and stakeholders. A Brief for Advice⁴ followed asking local authorities to form groups and submit advice to the Assembly on accommodation requirements in their areas, taking into account Gypsy and Traveller Accommodation Assessments, and other locally relevant factors.
- 4.3 Gypsy and Traveller Accommodation Assessments have been produced for all parts of the region⁵. The GTAA's were benchmarked for procedural robustness and internal consistency by independent academic consultants⁶. Feedback to local authorities helped inform their submission of advice.
- 4.4 Government Circular 04/2007 was published towards the end of the evidence-gathering process. Supplementary Travelling Showpeople needs assessments were required in some areas. For timing reasons option B advice was not sought.⁷
- 4.5 Local authorities were given the opportunity to update their advice in the light of practice elsewhere in the region. Consultation figures reflect the combined pitch numbers from local authorities' final advice.

5. Key issues

Lack of quantitative information on transit requirements

- 5.1 Government Circular 01/2006 indicates that the South East Plan should provide district-level allocations for transit spaces as well as permanent residential pitches. There is not a complete set of transit need assessments and council advice for the region, making it impossible to allocate transit pitch provision to individual council level in a robust and consistent way.
- 5.2 In the absence of data, the consultation asks whether the South East Plan should indicate a general level of need from available evidence and delegate final determination of need and location to councils working in consultation with Gypsy and Traveller communities.
- 5.3 Table 3 below shows available advice aggregated to county level. It also shows the typical number of caravans to be found on others' land in any given day (based on

² Annex A supersedes the interim statement at pp.90-91. of the South East Plan, March 2006 draft

³ www.southeast-ra.gov.uk/southeastplan/consultation/gt_update.html

⁴ www.southeast-ra.gov.uk/southeastplan/consultation/gt_update.html

⁵ Some finalised Travelling Showpeople assessments are still awaited

⁶ Dr Pat Niner, University of Birmingham with colleagues from University of Salford/Sheffield Hallam University

⁷ www.southeast-ra.gov.uk/southeastplan/consultation/gt_update.html

Government bi-annual caravan count surveys). Summer figures reflect activity in the travelling season; winter figures may reflect underlying need for permanent residential sites.

Table 3: Transit provision advice and other indicators of need for stopping places

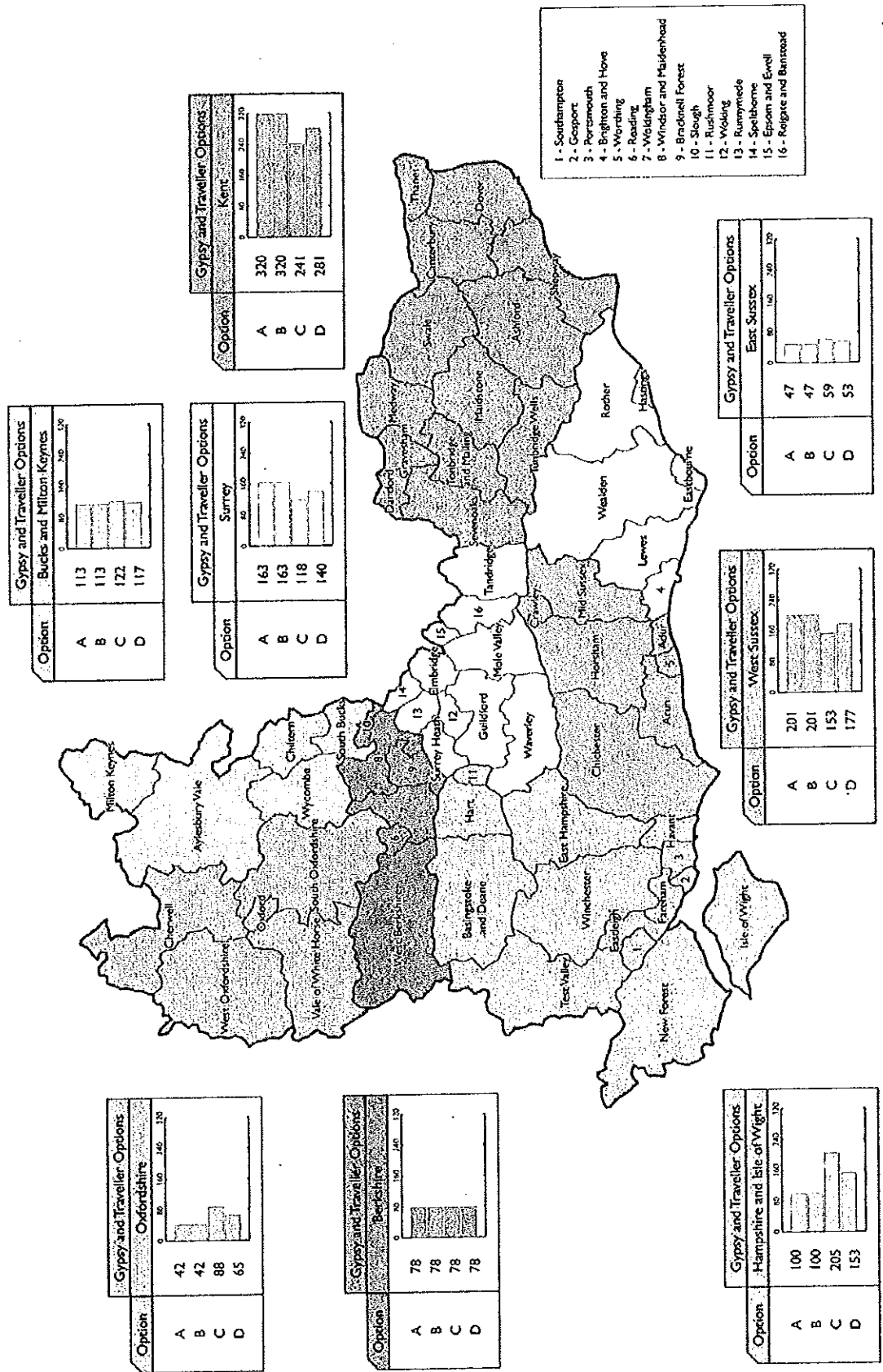
County group	Indicative transit advice/assessment	Caravans on others' land		
		Winter	Summer	Change
Berkshire Unitaries	No advice	23	16	-7
Buckinghamshire & Milton Keynes	No advice	5	19	14
East Sussex, Brighton & Hove	2 sites	24	84	60
Hampshire, Isle of Wight	4 sites	40	113	74
Kent & Medway	8 sites or stopping places	62	38	-25
Oxfordshire	No advice	17	17	1
Surrey	No advice	2	15	13
West Sussex	No advice	34	50	17
SOUTHEAST		205	352	147

Data: GTAAs and Council advice. CLG Caravan Count averaged 2004-2007 inclusive
 Figures do not sum due to rounding

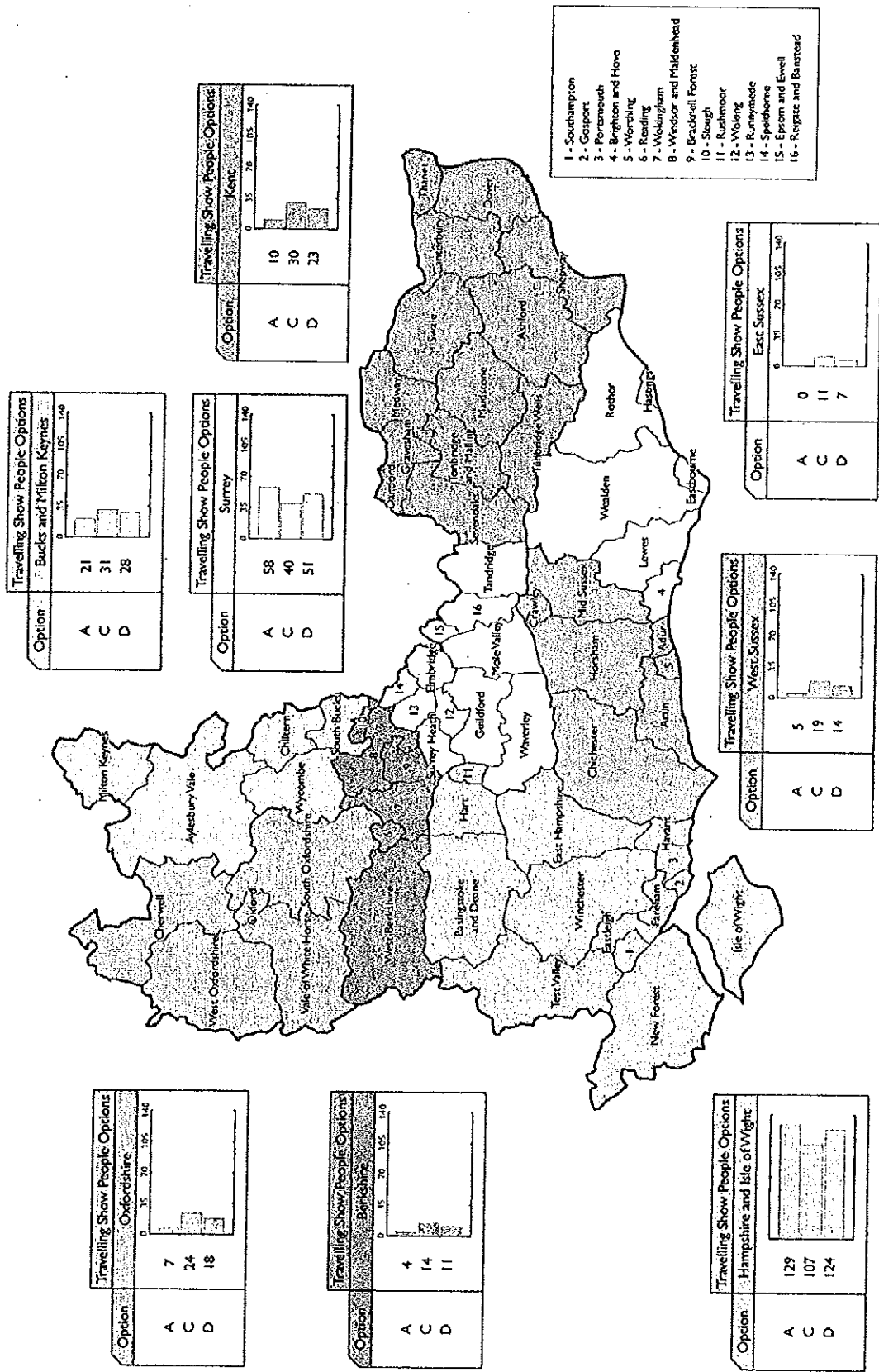
Travelling Showpeople not covered by needs assessments

- 5.4 The Guild of Travelling Showmen maintains a record of members and has played a direct role in needs assessments for their community. However, it has not been possible to clearly attribute 42 homeless Showpeople families to any particular area, so their needs are not addressed in the assessments submitted. Consultation options C and D for Travelling Showpeople propose a regional distribution of this need to ensure it is met when new spaces are provided.

Gypsy and Traveller Provision in the South East: Options to 2016



Travelling Show People Provision in the South East: Options to 2016



Note: there is no option B for Travelling Show People

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6. Options for future provision

6.1 Guidance on regional planning⁸ requires that we take a 'strategic view' of needs across the region as a whole when formulating council allocations. This involves a judgment on how to balance the needs of all residents, taking into account planning and sustainability matters such as environmental protection, availability of suitable land, access to opportunities, equity, choice and social inclusion. It is also a Government objective that responsibility for new pitch provision be shared more widely between councils than at present, to give Gypsies and Travellers an equivalent degree of choice of home location as those living in housing.

6.2 In deciding location of new accommodation, we also need to consider the preferences of Gypsies, Travellers and Travelling Showpeople. All four consultation options have a spatial link to the assessment of where needs arise, but at this stage the extent to which any of them correspond to preferences of Gypsies, Travellers and Travelling Showpeople is unknown.

6.3 Consultation aims to stimulate a debate on these issues and inform selection of a distribution option that balances competing needs appropriately.

The consultation options

6.4 The pros and cons of each consultation option are highlighted below. All options cover future provision only and do not imply relocation of those currently settled. All meet the same total level of identified need.

6.5 **Option A:**

New spaces should ALL be provided as close as possible to where Gypsies and Travellers currently live. This may mean some council areas have no spaces.

This option would put most new pitches (spaces) in areas where most Gypsies and Travellers currently live and only a few sites in other areas. As a result 12 councils would continue to provide five or less pitches and four of these councils would provide no pitches. We do not know whether Gypsies and Travellers live where they do by choice or whether populations have grown disproportionately in areas that are more accommodating to their needs. This option may therefore perpetuate under-provision in areas where Gypsy and Travellers might want to live but currently cannot.

6.6 **Option B:**

New spaces should ALL be in the same general area where Gypsies and Travellers currently live. Neighbouring councils would share the duty for providing new spaces but some council areas would have none.

This option takes account of a range of factors eg ensuring the environment is protected and that sites have good access to services such as schools, hospitals and transport. In some areas there is little difference between Option A and Option B. However, in other areas Option B gives a significantly different pattern of provision. This option would provide more choice of living locations at a relatively local level.

⁸ Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies, CLG March 2007

It also takes some account of local opportunities and constraints. Marked differences in the amount of accommodation in different county areas remain. Option B advice was not sought for Travelling Showpeople.

- 6.7 **Option C:**
HALF the new spaces should be in the same general areas where Gypsies and Travellers currently live. The other half would be spread across the region to make sure that all areas provide some spaces.
- 6.8 **Option D**
MOST (75%) new spaces should be in the same general areas where Gypsies and Travellers currently live. A quarter would be spread across the region to make sure that all areas provide some spaces.
- 6.9 Both Options C and D use Option B as a starting point and then redistribute a percentage of the accommodation need across the region. Neither reduces provision in any given county area by more than 30%, and decreases are usually offset by increases in adjoining counties. Option D is a midpoint between Options B and C.
- 6.10 The redistribution of accommodation is based on availability of land without major environmental constraints, and availability of opportunities – such as jobs – based on population. Both Options C and D improve the choice of council locations available to Gypsies and Travellers, through more provision in areas where there is little at present. However, this may mean that in future some people may need to move further afield to find an authorised site when they set up home.
- 6.11 Council-level figures for each option are in Annex B for Gypsies and Travellers and in Annex C for Travelling Showpeople.

7. Sustainability Appraisal and Habitat Regulations Assessment

- 7.1 The independent Sustainability Appraisal (SA) found that providing new accommodation for Gypsies, Travellers and Travelling Showpeople would result in wide ranging benefits, on the assumption that there would be a corresponding reduction in unauthorised encampments. Authorised pitches are less likely to have a negative effect on the environment and population, with fewer impacts on local communities and economies as well as biodiversity, landscape and the historic environment. Well located pitches should also have less potential to result in fear of crime, although this effect is not certain. Lessening conflicts between the travelling and settled communities will help to reduce the barriers that currently prevent Gypsies and Travellers from accessing services and facilities.
- 7.2 In most cases the SA was unable to draw strong conclusions on how Options B and C/D would materially differ from Option A in terms impact on the environment, community and economy. Options B and C/D were noted to have the potential to result in Gypsies and Travellers not having the opportunity receive a pitch where need arises, which may (or may not) be where they want to live. It was noted this

would be compensated by delivery of a level of pitches greater than identified need in another neighbouring authority or county.

- 7.3 Habitat Regulations Assessment scoping (ie risk assessment) showed that it is unlikely that provision of new sites for Gypsies, Travellers and Travelling Showpeople would significantly affect areas of habitat value of European significance. As no likely significant affects were identified a full 'Appropriate Assessment' was not necessary. Further consideration will be required at site allocation stage.
- 7.4 A non-technical summary of the draft SA is available. The full SA and Habitat Regulations Assessment Screening Report are available on our website (www.southeast-ra.gov.uk/southeastplan/consultation/gt_update.html).

Annex A: Provision for Gypsies and Travellers - Interim Statement

Extract from Draft South East Plan (Proposed Changes version, July 2008):

- 7.26 CLG Circular 01/2006 'Planning for Gypsy and Traveller Caravan Sites' sets out the policy and legislative framework for Government's aim of reducing tensions between Gypsies and Travellers and the settled community, through sustainable site provision and effective enforcement. The Circular requires regional spatial strategies, on the basis of local authority Gypsy and Traveller Accommodation Assessments, to determine a strategic view of needs across the region and identify the number of pitches required for each local planning authority. It also requires local authorities to allocate suitable sites within their Local Development Documents to meet the identified need set out in regional spatial strategies.
- 7.27 The Regional Planning Body is currently undertaking a single issue review of Gypsy and Traveller Accommodation needs in the region. As part of the review local authorities in the South East have now completed their Gypsy and Traveller Accommodation Assessments in accordance with the Housing Act 2004.
- 7.28 The accommodation assessments will provide for the first time comprehensive, robust and credible data relating to the needs and requirements of the Gypsy and Traveller Community.
- 7.29 Circular 01/2006 states that where there is a clear and immediate need, local planning authorities should bring forward Development Plan Documents containing site allocations in advance of regional consideration of pitch numbers, and completions of the Accommodation Assessments.

Annex B: Gypsy and Traveller residential pitch options 2006-2016

County grouping and Authority	Option A Need as arises	Option B Local sustainability	Option C 50% pooled	Option D 25% pooled
Berkshire	78	78	78	78
Buckinghamshire & Milton Keynes	113	113	122	117
East Sussex	47	47	59	53
Hampshire Isle of Wight	100	100	205	153
Kent	320	320	241	281
Oxfordshire	42	42	88	65
Surrey	163	163	118	140
West Sussex	201	201	153	177
SOUTH EAST	1,064	1,064	1,064	1,064
Bracknell Forest	6	17	14	16
Reading	7	6	9	7
Slough	17	6	7	7
West Berkshire	9	18	19	18
Windsor & Maidenhead	25	9	9	9
Wokingham	14	22	20	21
Berkshire	78	78	78	78
Aylesbury Vale	33	33	52	42
Chiltern	10	10	8	9
Milton Keynes	37	37	38	37
South Bucks	23	18	11	15
Wycombe	10	15	13	14
Buckinghamshire Milton Keynes	113	113	122	117
Brighton & Hove	14	11	15	13
Eastbourne	1	1	4	2
Hastings	3	1	4	3
Lewes	10	9	11	10
Rother	3	7	6	6
Wealden	16	18	19	19
East Sussex	47	47	59	53

County grouping and Authority	Option A Need as arises	Option B Local sustainability	Option C 50% pooled	Option D 25% pooled
Basingstoke & Deane	3	None provided	25	14
East Hampshire	0		16	8
Eastleigh	2		7	5
Fareham	2		7	4
Gosport	0		3	2
Hart	12		16	14
Havant	2		5	3
Isle of Wight	27		27	27
New Forest	5		8	6
Portsmouth City	8		10	9
Rushmoor	0		4	2
Southampton City	10		14	12
Test Valley	12		31	22
Winchester	17		32	25
Hampshire IoW	100		100	205
Ashford	20	32	28	30
Canterbury	32	33	26	30
Dartford	33	27	17	22
Dover	6	24	20	22
Gravesham	16	13	10	11
Maidstone	48	39	32	36
Medway	12	32	24	28
Sevenoaks	57	22	14	18
Shepway	2	13	9	12
Swale	64	31	20	25
Thanet	5	19	16	17
Tonbridge and Malling	14	20	14	17
Tunbridge Wells	11	15	11	13
Kent	320	320	241	281
Cherwell	11	8	25	16
Oxford City	0	8	9	8
South Oxfordshire	17	9	14	12
Vale of White Horse	1	8	19	14
West Oxfordshire	13	9	21	15
Oxfordshire	42	42	88	65

County grouping and Authority	Option A Need as arises	Option B Local sustainability	Option C 50% pooled	Option D 25% pooled
Elmbridge	9	13	11	12
Epsom & Ewell	7	6	7	7
Guildford	32	33	19	26
Mole Valley	7	6	6	6
Reigate & Banstead	4	8	8	8
Runnymede	18	11	8	9
Spelthorne	7	9	7	8
Surrey Heath	20	19	13	16
Tandridge	10	8	7	7
Waverley	39	39	23	31
Woking	10	11	9	10
Surrey	163	163	118	140
Adur	9	18	11	15
Arun	14	18	16	17
Chichester	65	65	38	51
Crawley	33	23	16	20
Horsham	59	56	47	51
Mid Sussex	21	21	21	21
Worthing	0	0	4	2
West Sussex	201	201	153	177

Notes

No Option B advice submitted for Hampshire authorities.
Buckinghamshire (excluding MK) G&T advice contained an arithmetic error, accepted by officers and corrected here, hence figures differ from formally agreed advice.

Isle of Wight held constant.

Oxfordshire Option B advice based on even provision rather than local sustainability considerations, and not agreed by Oxford City Council.

Annex C: Travelling Showpeople residential plot options 2006-2016

County grouping and Authority	Option A Need as arises	42 families Allocation by C/D approach	Option C 50% pooled plus share of 42	Option D 25% pooled plus share of 42
Berkshire	4	3	14	11
Buckinghamshire MK	21	5	31	28
East Sussex	0	3	11	7
Hampshire IoW	129	11	107	124
Kent	10	7	30	23
Oxfordshire	7	6	24	18
Surrey	58	3	40	51
West Sussex	5	4	19	14
SOUTH EAST	234	42	276	276
Bracknell Forest	1	0	2	2
Reading	1	0	2	2
Slough	0	1	1	1
West Berkshire	1	1	4	3
Windsor & Maidenhead	1	0	3	2
Wokingham	0	1	2	1
Berkshire	4	3	14	11
Aylesbury Vale	0	3	11	7
Chiltern	21	0	11	16
Milton Keynes	0	2	6	4
South Bucks	0	0	1	0
Wycombe	0	0	2	1
Buckinghamshire Milton Keynes	21	5	31	28
Brighton & Hove	0	1	3	2
Eastbourne	0	0	1	1
Hastings	0	0	1	1
Lewes	0	1	2	1
Rother	0	0	1	0
Wealden	0	1	3	2
East Sussex	0	3	11	7

County grouping and Authority	Option A Need as arises	42 families Allocation by C/D approach	Option C 50% pooled plus share of 42	Option D 25% pooled plus share of 42
Basingstoke & Deane	21	2	18	20
East Hampshire	14	1	12	14
Eastleigh	6	1	5	6
Fareham	5	1	4	5
Gosport	3	0	3	3
Hart	9	1	8	9
Havant	4	0	3	4
Isle of Wight	0	0	0	0
New Forest	5	0	4	5
Portsmouth City	5	0	4	5
Rushmoor	4	0	3	4
Southampton City	8	1	7	8
Test Valley	23	2	18	21
Winchester	22	2	18	20
Hampshire IoW	129	11	107	124
Ashford	0	1	4	2
Canterbury	2	1	4	3
Dartford	7	0	5	5
Dover	0	1	3	2
Gravesham	0	0	1	1
Maidstone	0	1	4	2
Medway	0	1	2	1
Sevenoaks	0	0	1	1
Shepway	0	0	1	1
Swale	0	0	1	1
Thanet	1	1	2	2
Tonbridge & Malling	0	1	1	1
Tunbridge Wells	0	0	1	1
Kent	10	7	30	23
Cherwell	2	2	8	5
Oxford City	0	0	1	1
South Oxfordshire	3	2	4	4
Vale of White Horse	0	1	5	3
West Oxfordshire	2	1	6	5
Oxfordshire	7	6	24	18

County grouping and Authority	Option A Need as arises	42 families Allocation by C/D approach	Option C 50% pooled plus share of 42	Option D 25% pooled plus share of 42
Elmbridge	2	1	2	2
Epsom & Ewell	1	0	2	1
Guildford	15	1	9	12
Mole Valley	0	0	1	1
Reigate & Banstead	4	1	3	4
Runnymede	13	0	7	10
Spelthorne	7	0	4	6
Surrey Heath	10	0	6	8
Tandridge	4	0	3	4
Waverley	2	0	2	2
Woking	0	0	1	1
Surrey	58	3	40	51
Adur	0	0	1	0
Arun	1	1	3	2
Chichester	1	0	2	2
Crawley	0	0	1	1
Horsham	3	2	8	6
Mid Sussex	0	1	3	2
Worthing	0	0	1	1
West Sussex	5	4	19	14

Notes

Option B advice was not sought for Travelling Showpeople.

Option A figures in italics: 2011 advice extrapolated by the Assembly secretariat to 2016 at 1.5% growth net of turnover (agreed with the Showmen's Guild for this time period).

Option A figures underlined: The RSS is required to provide district-level figures. The Assembly secretariat has generated a default district distribution as none provided, using Option C/D approach (Hampshire group authorities).



Mr Mark Williams
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By Hand and by Email

14 November 2008

Dear Mr Williams

CONSULTATION RESPONSE: SOUTH EAST PLAN PARTIAL REVIEW, GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE

Please find enclosed the consultation response of Guildford Borough Council, Surrey Heath Borough Council and Waverley Borough Council (the 'West Surrey Group').

This comprises the completed response form (attached) and the following explanatory points:

- We wish to emphasise the point made under Q8: the methodology in the government guidance reinforces the current distribution of pitches and places no requirement on those areas currently not providing pitches. This approach denies Gypsies and Travellers the freedom of choice in where to live that is accorded to the rest of society and continues to place the responsibility of provision on those areas that are already providing the most accommodation. The result is to effectively exclude the Travelling Community from some areas by virtue of ethnic origin.
- A related point (previously raised by the West Surrey Stakeholder Group) was that, if too many Gypsies and Travellers are located in a single area, the consequence may be that their traditional sources of employment may reach saturation point. Whilst acknowledging that some Gypsies and Travellers do wish to remain distinct and separate from the settled community, it is also harder for larger groups of Gypsies and Travellers to integrate into the settled community (e.g. at local schools).
- The West Surrey Group wishes to raise significant concerns about both the methodology and recommendations of the Sustainability Appraisal (SA). By taking Option A as a base-line for GTTS provision it ignores the historical distortions and inconsistencies within this provision. By this method it then assigns all environmental benefits to Option A and all detriments to Options C and D. By

seeking to avoid distortions to local assessments of need it in fact entrenches these distortions in the pattern of GTTS accommodation within the South East.

- In addition, the Sustainability Appraisal fails in its basic task of relating demand to the environmental capacity to satisfy development. We repeat our response to Q9, that the best and most sustainable way to allocate pitches to LPAs is by factoring demand against environmental constraints; precisely the method used in the redistribution of sites under options C and D.

Therefore, of the options put forward in the consultation, the West Surrey Group favours Option C, namely that 50% of total estimated demand for Gypsy, Traveller and Travelling Showpeople's accommodation is distributed evenly across the South East region. This will help to address historical discrepancies in provision and also reduce the impact of any inconsistencies in methodology which may have affected the preparation of GTAAs.

If you have any queries or require clarification of any aspect please do not hesitate to contact any of the contacts listed below.

Yours sincerely



Tracey Haskins
Planning Policy Manager

Enclosed – Joint consultation response

On behalf of:

Guildford Borough Council

(Contact: Tracey Haskins, 01483 444 661, tracey.haskins@guildford.gov.uk)

Surrey Heath Borough Council

(Contact: Jenny Rickard, 01276 707213, jenny.rickard@surreyheath.gov.uk)

Waverley Borough Council

(Contact: Graham Parrott, 01483 523472, graham.parrott@waverley.gov.uk)

Final draft joint response to Gypsy and Traveller and Travelling Showpeople SEERA consultation (21 Oct 08)

ABOUT YOU

The Housing Act 2004 imposes a duty on local authorities to carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to their district, and to have a strategy in place which sets out how any identified needs will be met as part of their wider housing strategies.

Q. Are you aware that a Gypsy and Traveller Accommodation (Needs) Assessment has been carried out for your area?

Yes

Q. In what capacity are you responding to this questionnaire?

Local Planning Authority (District/Borough)

Q. Please provide your name and address. We cannot accept anonymous consultation responses or confidential submissions.

Tracey Haskins on behalf of West Surrey Group – Guildford, Surrey Heath and Waverley Borough Councils

c/o Guildford Borough Council

Millmead House, Millmead

GU2 4BB

tracey.haskins@guildford.gov.uk

Q1. To what extent do you agree or disagree with each of the following statements:

1.1) The responsibility for providing new authorised Gypsy and Traveller accommodation that helps reduce unauthorised sites should be shared by all parts of the South East region, including areas where there are currently none or very few spaces.

Strongly agree
Strongly disagree

Tend to agree
Don't know/ no opinion

Tend to disagree

Comment – We recognise the need for planned accommodation for the GTTS community. The West Surrey GTAA identified a preference for smaller private sites among the GTTS community. It is unclear if this response was based on realistic expectations.

1.2) *The provision of new accommodation should only be in locations where there is access to jobs and services such as doctors and schools.*

Strongly agree Tend to agree Tend to disagree
Strongly disagree Don't know/ no opinion

Comment – It is essential that, both regional and local planning for additional Gypsy and Traveller (and Travelling Showpeoples') accommodation is founded on a robust understanding of infrastructure capacity across the region (e.g. health care capacity, school places etc.).

1.3) *Authorised temporary spaces should be provided in areas where Gypsies and Travellers often stop while travelling*

Strongly agree Tend to agree Tend to disagree
Strongly disagree Don't know/ no opinion

Q2. *To what extent do you support or oppose Government policy to provide new authorised Gypsy and Traveller accommodation to help reduce unauthorised encampments?*

Strongly support Tend to support Tend to oppose
Strongly oppose Don't know/ no opinion

Q3. *By 2016, the current plan is to provide an additional 1,064 spaces for Gypsies and Travellers across the South East region. Do you think this is:*

Much too low A bit too low About right A bit too high
Much too high Don't know

Why do you think this?

This figure appears fair as a regional total provided that it is based on robust GTAAs across the whole South East Region

Q4. *By 2016, the current plan is to provide the following additional spaces in your county for Gypsies and Travellers:*

Berkshire	78 spaces
Buckinghamshire & Milton Keynes	113 spaces
East Sussex	47 spaces
Hampshire & Isle of Wight	100 spaces
Kent	320 spaces
Oxfordshire	42 spaces
Surrey	163 spaces
West Sussex	201 spaces

For your county, do you think this is:

Much too low
Much too high

A bit too low
Don't know

About right

A bit too high

Why do you think this?

Surrey did not conduct its GTAA as a single county, making it difficult for the West Surrey Group to comment on a figure which comprises the totals of the three regional groupings.

However, Surrey has historically made provision for GTTS accommodation where some authorities across the South East have not. Demographic growth is therefore disproportionately concentrated in the county.

The GTAA methodology took a broad definition of Gypsy and Traveller households. Interviews were conducted with families who consider themselves to be settled or who now live in permanent homes. Whilst the demands arising from the latter were not included in the GTAA model (refer to para. 7.5.5 on p93), demand inevitably occurs in areas which already have the greatest concentration of Gypsies, Travellers and Travelling Showpeople. It is not clear that the same methodology was used in other areas.

Earlier advice to SEERA submitted by the West Surrey Group questioned the generous provision for concealed households. The GTAA study identified a significant proportion of need arising from concealed /new family formation from existing households. Whilst acknowledging over-crowding tends to be more common amongst Gypsy and Traveller households than within the wider community, the historic pattern of provision will also have concentrated growth, including that from concealed households.

Q5. By 2016, the current plan is to provide an additional 274 spaces for Travelling Showpeople across the South East region. Do you think this is:

Much too low
Much too high

A bit too low
Don't Know

About right

A bit too high

Why do you think this?

Not all GTAAs studied the need for accommodation for Travelling Showpeople. It is therefore difficult to reach a conclusion as the fairness of this figure.

Q6. By 2016, the current plan is to provide the following additional spaces in your county for Travelling Showpeople:

Berkshire	4 spaces
Buckinghamshire & Milton Keynes	21 spaces
East Sussex	0 spaces
Hampshire & Isle of Wight	129 spaces
Kent	10 spaces
Oxfordshire	7 spaces
Surrey	58 spaces
West Sussex	201 spaces

For your county, do you think this is:

Much too low A bit too low About right Much too high
 Don't Know

Surrey did not conduct its GTAA as a single county, making it difficult for the West Surrey Group to comment on a figure which comprises the totals of the three regional groupings.

We would simply reiterate that the same standard and methods must apply to all GTAAs if they are to be robust and the partial review an equitable process.

Q7. Are you aware of any Gypsy and Traveller sites in your local authority area?

Yes

Q8. Which option do you think is most appropriate for allocating new Gypsy, Traveller and Travelling Showpeople accommodation across the REGION?

Option A: New spaces should ALL be provided within the council areas where Gypsies and Travellers currently live. This may mean some council areas have no spaces.

Option B: New spaces should ALL be in the same general areas where Gypsies and Travellers currently live. Neighbouring councils would share responsibility for providing new spaces but some council areas would have none.

Option C: HALF the new spaces should be in the same general areas where Gypsies and Travellers currently live. The other half would be spread across the region to make sure that all areas provide some spaces

Option D: MOST new spaces should be in the same general areas where Gypsies and Travellers currently live. A quarter would be spread across the region to make sure that all areas provide some spaces.

Why do you think this is?

The past history of provision has led to an inconsistent approach within the South East. This denies Gypsies and Travellers the freedom of choice in where to live that is accorded to the rest of society, and increases pressure on those areas which already provide the most accommodation. The result is to exclude the GTTS community from some areas by virtue of ethnic origin.

Allowing a more natural pattern of settlement should be a significant priority of the partial review.

Q9. Is there a better way to decide how many spaces each planning authority should identify land for? (Please explain how and note any available evidence).

The West Surrey area is subject to significant environmental constraints and nationally important designations; Green Belt, Natura 2000 sites, Thames Basin Heaths Special Protection Areas, Special Areas of Conservation, Area of Outstanding Natural Beauty (AONB), and Areas of Great Landscape Value (AGLV). Due to the high development pressure on existing urban areas in all three boroughs there will inevitably be pressure on these important designations. Consideration should be given to placing greater weight on the value of these protected areas when allocating GTTS pitch numbers in this and future exercises.

Q10. Some councils have not provided advice about the number of transit stopping spaces required. Is there a better way to identify what is needed in each council area than Government records showing the pattern of unauthorised encampments in their area?

No.

The West Surrey GTAA identified no requirement for transit stopping spaces within the area.

Please give reasons for your choice and any evidence to support your view

As is the case for other the figures, this should be based on robust GTAA evidence within the context of an equitable distribution across the South East.

Q11. Are there any additional traveller groups whose needs are not met by the consultation proposals?

If so, what other forms of provision are required and what is the extent and location of need?

Please clearly indicate any evidence available to support your view

A group of Travelling Showpeople, known as the 'Fairhaven Group' were referred to in the West Surrey GTAA. None of the members of this group live within the three Boroughs covered by this study (Guildford, Surrey Heath and Waverley). Michelle Banks, the Head of the Gypsy and Traveller Unit at CLG, confirmed that it was not the responsibility of this study to identify this group or include its needs and future requirements in the study. Rather the needs of this group should be included in the GTAAs in the areas where the individual group members presently reside. It is not clear from the consultation documents whether or not this has been done. It is important that the needs and future requirements of this group are addressed at the regional level.

Q12. Please add any comments on the draft Sustainability Appraisal or the Habitats Directive 'Appropriate Assessment' scoping report.

The methodology of the Sustainability Appraisal is structurally flawed. By taking Option A as a base-line for GTTS provision it ignores the historical distortions and inconsistencies within this provision. By this method it then assigns all environmental benefits to Option A and all detriments to Options C and D. By seeking to avoid distortions to local assessments of need it in fact entrenches these distortions in the pattern of GTTS accommodation within the South East. Its partial methodology invalidates this document as an objective consideration in the partial review.

The West Surrey Group is, therefore, concerned that the "benefits" of Option A have been overstated in the SA. For example, in relation to the following SA objectives:

- To improve accessibility to all services and facilities;
- To improve efficiency in land use through the re-use of previously developed land and existing buildings, including re-use of materials from buildings and encourage urban renaissance;
- To conserve and enhance the region's biodiversity;
- To protect, enhance and make accessible for enjoyment, the region's countryside and historic environment; and
- To ensure high and stable levels of employment so everyone can benefit from the economic growth in the region.

In each case Option A is identified as having a 'significant positive impact', while Options B and C are identified as having neutral impacts. It is not clear why in these (and other) cases Option A is seen as having significant benefits when the other options have only a neutral or negligible effect. Under Option A new sites will have to be found to accommodate the future needs of Gypsies Travellers and Travelling Showpeople wherever the allocations are made. It is not the case that these will be easier to find or will have less environmental impact under Option A than would be the case in finding sites in other areas as a result of the redistribution option. In fact it could be argued that it may be more difficult in to find extra sites under Option A in areas like West Surrey. There are significant constraints that apply in this area, including the Surrey Hills Area of Outstanding Beauty and a number of significant nature conservation designations. Moreover, in the rural parts of the area access to services such as education, health and employment opportunities is relatively poor.

These criticisms also apply to the Habitat Regulations Appropriate Assessment (HRAA) which adopts the same methodological approach in favour of Option A. The HRAA also initially fails to recognise that the effect of the First Partial Review must be considered in combination with the rest of the South East Plan. There are also erroneous references to a '500m buffer' around SPAs. This buffer is in fact only 400m.

Q13. Is there anything else you want to comment on, especially in relation to proposed pitch numbers and distribution options?

It is important to emphasise that existing sites must be improved and brought up to an acceptable standard as well as providing new sites, and the funding level should be 100% rather than 25% of the costs for such upgrading.

Regional Assembly guidance for Local Development Frameworks would be welcomed on the subject of good practice in planning for Gypsy and Traveller and Travelling Showpeople accommodation, encompassing the provision of both small public and private sites.

Additionally it will be important that, in planning for additional Gypsy and Traveller (and Travelling Showpeoples') accommodation, regard is given to community relations both between Gypsies / Travellers and the non-Gypsy settled community, but also within the Gypsy and Traveller community.

Comms/exec/2008-09/179

APPENDIX I

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 3 NOVEMBER 2008

Title:

SALE OF ROADWAY ADJACENT TO 15 CHATSWORTH AVENUE, HASLEMERE

[Portfolio Holder: Cllr Ms Denise Le Gal]

[Wards Affected: Haslemere East and Grayswood]

Note pursuant to Section 100B(5) of the Local Government Act 1972

An annexe to this report contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, viz:-

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Summary and purpose:

Authority is sought for the sale of the land shown hatched on the plan at Annexe 1 adjacent to 15 Chatsworth Avenue, Haslemere.

How this report relates to the Council's Corporate Priorities:

Waverley will receive a small capital sum to put towards its corporate priorities.

Equality and Diversity Implications:

There are no Equality and Diversity implications

Resource/Value for Money implications:

Waverley would receive a capital sum for the roadway.

Waverley would cease to be responsible for the upkeep of the roadway.

Legal Implications:

Waverley would cease to be responsible for any risks attached to ownership of the roadway.

Proposal

1. The roadway between 13 and 15 Chatsworth Avenue, shown hatched on the plan annexed, is narrow, single track and tarmacked. The adjacent properties have all been sold. There are rights of way granted over the roadway to 15 Chatsworth Avenue and to "Merrilea", a property built to the rear Chatsworth Avenue.
2. Following the grant of planning permission WA/2006/0055, a bungalow has been constructed in the rear garden of 15 Chatsworth Avenue. The owner of the bungalow has requested to purchase the roadway on terms and conditions as set out in the (Exempt) Annexe.
3. The sale of the roadway is advantageous to Waverley. The Council is responsible for repairing the roadway and can technically recover this cost from two of the adjacent owners. However, the process can be a bureaucratic and expensive one that is often not worth undertaking. The level and cost of repairs would need to be agreed in advance with the adjacent owners together with their respective proportion of the sum involved. The money would then need to be recovered, which could prove costly if there were any disputes. Responsibility for the road surface will also pass to the new owner, thereby relieving Waverley of any risks involved.

Recommendation

It is recommended that the roadway shown hatched on the plan annexed be sold to the owner of the new bungalow to the rear of 15 Chatsworth Avenue on terms and conditions as set out in the (Exempt) Annexe, any other terms and conditions to be negotiated by the Legal Services Manager.

Background Papers (SDE)

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

CONTACT OFFICER:

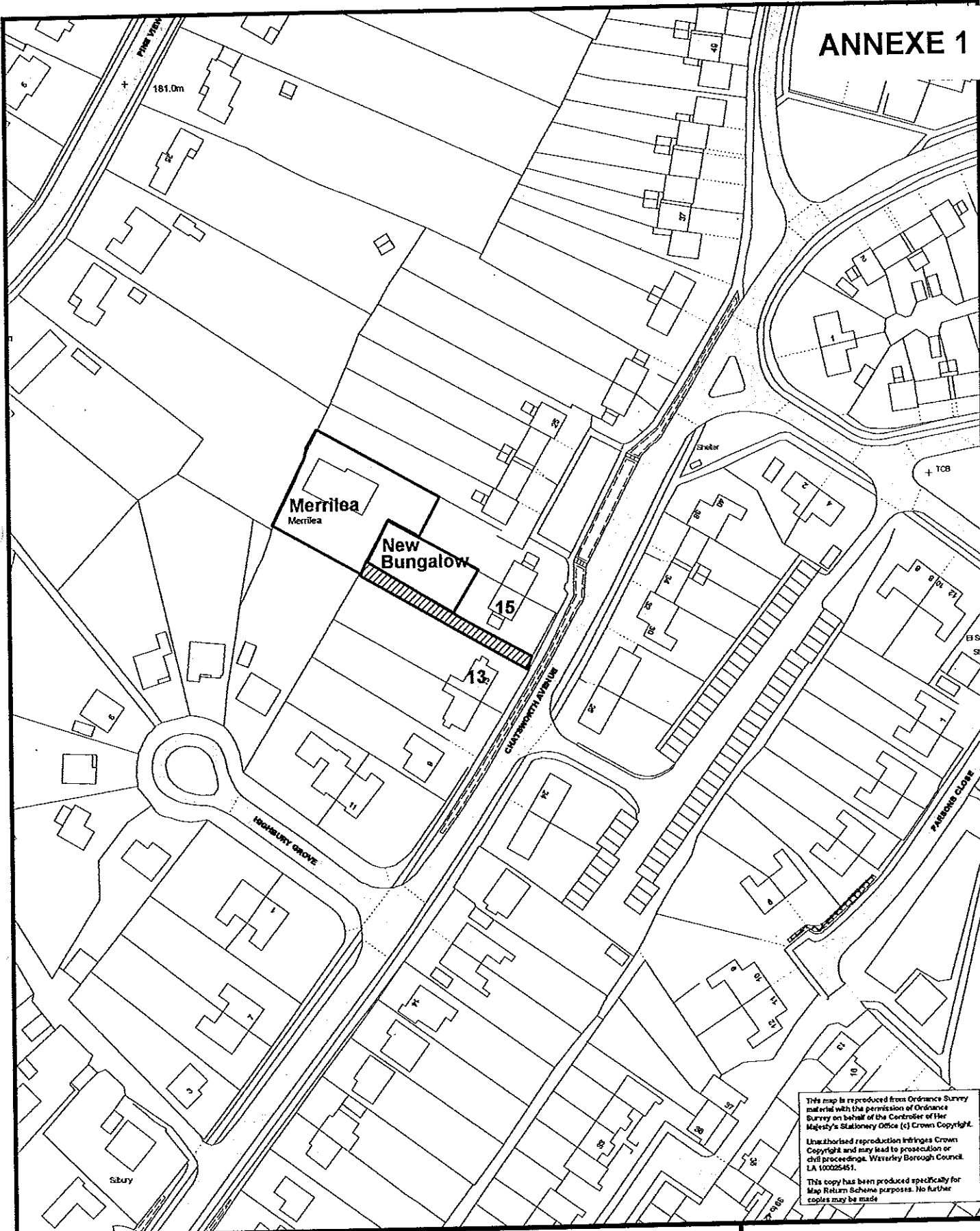
Name: Ailsa Rhodes

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E-mail: ailsa.rhodes@waverley.gov.uk


Comms/exec/2008-09/154

ANNEXE 1




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Legal and Estates Services
Waverley Borough Council
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Telephone: 01483 523333
Fax No: 01483 523118 DX No:58303



**Roadway Adjacent to
15 Chatsworth Avenue
Haslemere**


NORTH
1:1250
10/10/2008
MAP SHEET: SU9033NW

