

APPENDIX D

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 1 SEPTEMBER 2009

Title:

PARTIAL REVIEW OF THE SOUTH EAST PLAN – GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE

[Portfolio Holder: Cllr Richard Gates]

[Wards Affected: All]

Summary and purpose:

The purpose of the report is to agree the Council's Response to the current consultation on the Partial Review of the South East Plan, "Somewhere to Live – Planning for Gypsies, Travellers and Travelling Showpeople in the South East." This sets out the South East Regional Assembly's recommendations on the provision of new pitches for Gypsies, Travellers and Travelling Showpeople (GTTS) in the South East.

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

The Consultation will assist the South East England Partnership Board 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 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:

The consultation is part of the process of ensuring that the planning takes account of the future needs of Gypsies, Travellers and Travelling Showpeople.

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 pitches allocated in the partial review of the South East Plan. This will have financial implications for every local authority in the South East region.

Legal Implications:

There are no legal implications arising from this report.

Introduction

1. The Housing Act 2004 requires local authorities to assess the need for Gypsy and Traveller (including Travelling Showpeople) accommodation in their areas at the same time as they assess the housing requirements for the rest of the population. Last Autumn the South East England Regional Assembly (SEERA) consulted upon four different options for the regional distribution of Gypsy and Traveller pitches and Travelling Showmen's plots.
2. The new South East England Partnership Board (SEEPB) has submitted its preferred option to the Government, which is now carrying out a further public consultation on that preferred option between 8 June and 1 September 2009 prior to an Examination in Public scheduled to run from Tuesday 2 to Friday 5 February 2010. Responses to this Government-run consultation will help the planning inspectors to identify issues for exploration at the examination.

Background

Issues and Options Consultation

3. Members may recall that in November 2008 the Executive considered a report recommending a response to SEERA's Issues and Options consultation on the Partial Review of the South East Plan – Gypsies, Travellers and Travelling Showpeople. A copy of that report is attached at Annexe 1. It sets out fully how the four different options being consulted upon had been arrived at and how for Waverley Borough they related to the need set out in the West Surrey Gypsy and Traveller Accommodation Assessment (GTAA), prepared jointly for Surrey Heath, Guildford and Waverley Borough Councils by David Couttie Associates. A joint response was prepared on behalf of Waverley, Guildford and Surrey Heath Borough Councils, which make up the West Surrey Group. This is also attached as part of Annexe 1.
4. Local authorities across Surrey, including Waverley Borough Council, supported Option C, which set out that half of new pitches to be provided should reflect need where it arises and the other half should be spread across the region to ensure that all areas provide some pitches. The Council had previously expressed concerns about the methodology for Gypsy and Traveller Accommodation Assessments (GTAAs) which had the effect of reinforcing current distributions and placing no requirement on those areas that are currently not producing pitches. Option C represented the maximum redistribution option.
5. A number of points were made to support the Council's concerns. This included stating that greater consideration should be given to local constraints in determining the most appropriate distribution of new pitches across the region.
6. For Waverley Option C would translate into the need to provide 23 new Gypsy and Traveller pitches and 2 plots for Travelling Showpeople between 2006-16. Option C attracted the most overall support (41%). This was also the best

supported option by Gypsies, Travellers and Travelling Showpeople themselves.

Current Preferred Option Consultation

7. However the new South East England Partnership Board (which supersedes SEERA and SEEDA) has recommended to the Government Option D as its preferred option which sets out that three quarters of pitches should be provided to reflect need where it arises and the other quarter should be redistributed across the region to ensure that all areas provide some pitches. For Waverley this means that 33 new Gypsy and Traveller pitches and 3 new plots for Travelling Showpeople would need to be provided between 2006-16.

Unitary/District Authority	Gypsy & Travellers		Travelling Showpeople	
	2006 base line	Requirement	2006 baseline	Requirement
Elmbridge	23	12	2	3
Epsom and Ewell	30	6	4	1
Guildford	32	27	12	12
Mole Valley	20	7	1	1
Reigate & Banstead	12	9	12	4
Runnymede	56	10	42	10
Spelthorne	22	8	10	6
Surrey Heath	30	16	6	8
Tandridge	33	8	37	4
Waverley	52	33	6	3
Woking	24	10	0	1
Surrey	334	146	116	53

Table H7A from SEEPB Consultation Document

8. SEEPB has justified this approach by noting that although Option C was the best supported option overall, Options C and D combined met with opposition from 63% of Councils, which tended to favour instead Option A, to meet need where it arises, or Option B, redistribution within local advice areas (GTAA groupings of local authorities) as locally determined, for Gypsies and Travellers only. It considers that option D (the 25% redistribution option) is a “deliverable compromise”. It is not surprising that numerically more Councils supported options A and B. This is because for most Councils these options meant a lower requirement than the redistribution options. However, this does not mean that options A and B are necessarily the best options. It means that Councils which had never made much provision for Gypsies and Travellers would continue not to need to do so, whilst Councils that had made efforts to make provision in the past would be given a greater allocation in the future. The Surrey authorities do not regard this as a fair approach.
9. The Government is consulting upon proposed new Policy H7 of the South East Plan between 8 June and 1 September 2009. This is set out in the document ‘Partial Review of the Regional Spatial Strategy for the South East, Provision

for Gypsies, Travellers and Travelling Showpeople: Recommendations for new policy H7'.

Gypsy and Traveller pitches 2006-2016

10. There is a greater difference in Waverley, compared to other authorities in Surrey, between the four options in terms of the number of Gypsy and Traveller pitches for which the Council will need to make provision, as shown in the table below. However, the Surrey authorities as a whole remain of the opinion that Option C, the best supported option from the previous consultation, is the fairest option for pitch distribution across the region, ensuring that all local authorities are required to make provision to a fuller extent rather than concentrating future provision in those areas which historically have made provision. It is therefore recommended that the Council object to proposed Policy H7 and in particular the pitch requirement set out at Table H7a on those grounds.

	Option A Where need arises	Option B Local sustainability	Option C 50% pooled	Option D 25% pooled
Gypsy & Traveller	39	39	23	32
Travelling Showpeople	2	0	2	3

11. The current consultation pitch numbers for Waverley have increased by 1 since the earlier Issues and Options consultation in September 2008. This is the case for most Surrey districts due to “updating of underlying redistribution criterion data”.
12. In addition to the baseline figures shown above, it is noted that there are 35 transit pitches at New Acres in Dunsfold. Also there have been some permissions since April 2006 which should count towards whatever allocation Waverley receives.

Pitch requirements beyond 2016

13. Paragraph 4.3 of the proposed new Policy H7 and supporting text states that where documents of the Local Development Framework look beyond 2016 (Waverley’s will look to 2026 to match the lifespan of the South East Plan), then “onward requirements can be calculated on the basis of 3% compound growth for Gypsies and Travellers and 1.5% for Travelling Showpeople”. A footnote explains that “both figures are growth net of pitch turnover, to be calculated from the sum of the 2006 pitch baseline and the full 2006-2016 allocation, compounded annually”.
14. What this means for Gypsy and Traveller pitch requirements in the Borough, if it is accepted that Waverley’s 2006 Gypsy and Traveller pitch baseline is 52 pitches, and that the allocation proposed by Option D is 33 additional pitches,

then by 2026 the Council will need to provide a further 30 Gypsy and Traveller pitches in Waverley.

15. Looking at the regional picture, the application of the compound rate means that those local authorities that have the most authorised sites (2006 baseline) and the largest allocation 2006-16 will in future be required to make the greatest provision, and in ever-increasing numbers. This cannot be regarded as the fairest method of regional distribution when some local authorities historically have not made much provision.

Plots for Travelling Showpeople, 2006-2016 and beyond

16. The 2006 baseline figure for Travelling Showpeople's plots is accepted as 6, the requirement between 2006-2016 is 3 plots (options C and D), and the application of 1.5% compound growth would only give rise to the provision of a total of 1.44 plots by 2026.

Provision of transit sites

17. It is also recommended that the Council object to the suggestion in proposed policy and supporting text that the assessment of transit site needs should be a matter for county groupings of local authorities (paragraph 4.6) and that appropriate provision should then be made in Local Development Documents (Policy H7). This position appears to have been reached on the basis that "the evidence currently available at regional level is insufficiently robust to make consistent transit pitch allocations across the region." (paragraph 5.16 of consultation document). It is considered that this is a strategic rather than a local issue that should properly be addressed at the strategic level, rather than left to the "delegated approach" set out in the consultation document. Sufficiently robust evidence should be gathered and strategic planning for needs carried out at the regional level.
18. "The policy is also unsound because it fails to adequately deal with the issue of Transit sites by delegating all responsibility for their provision to the Local Planning Authorities. Transit provision by its very nature cannot and should not be dealt with solely at District and Borough level. Any Transit site provision will need to be made on a robust evidence base. However at a district level such a robust evidence base will be difficult if not impossible to gather.
19. The West Surrey GTAA found no evidence to support any future dedicated transit provision in West Surrey between 2006-2011.
20. The recent University of Birmingham research project for the South East England Partnership Board suggested that that "unauthorised encampments are, relatively most common in Hampshire, Sussex and Kent, and less common in Surrey, Berkshire, Buckinghamshire and Oxfordshire." This suggests that a regional understanding is required before allocations can be made.
21. If Transit sites are to be provided in the areas that they are required, then there needs to be a full recognition of the needs of Gypsies and Travellers

requirements including reasons for travel, destinations, length of stay and patterns of travel across the region. Attempting to assess the need at District or Borough level will be wholly inadequate.

22. The partial review of the South East Plan is therefore unsound and the South East England Partnership Board should be required to undertake the necessary work to establish the regional need, based on regional movements. No doubt the Local Planning Authorities would be willing to assist with this task by providing what limited local information might be available.

Conclusion

23. The recommendation to the Executive is to object to proposed new Policy H7 of the South East Plan, as set out in the current Government consultation, on the grounds that:
 - Option D has been selected as the Preferred Option rather than Option C, which was supported by this Council and the other Surrey local authorities during the previous consultation as the fairest distribution across the region, was the most favoured option and was the one best supported by the Gypsy and Traveller community; and
 - the provision of transit sites is a strategic rather than a local issue and properly should be addressed at the regional level.
24. The intention is again to produce a joint response on behalf of the West Surrey Group, albeit incorporating any specific points relevant to each district. As the deadline for comments is 1st September, the submitted response will point out that this is an officer recommendation, to be confirmed if approved by the Executive at the meeting.

Recommendation

That the Executive agree the joint response set out in Annexe 2 to object to the proposals in the current Government consultation on the Partial Review of the South East Plan – New Policy H7, Gypsies, Travellers and Travelling Showpeople, on the grounds that:

- Option D has been selected as the Preferred Option rather than Option C, which was supported by this Council and the other Surrey local authorities during the previous consultation as the fairest distribution across the region, was the most favoured option and was the one best supported by the Gypsy and Traveller community; and
 - the provision of transit sites is a strategic rather than a local issue and properly should be addressed at the regional level.
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Background Papers

Partial Review of the Regional Spatial Strategy, Provision for Gypsies, Travellers and Travelling Showpeople - Recommendations for new policy H7 (June 2009).

West Surrey Gypsy and Traveller Accommodation Assessment, DCA, 2006

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