

Executive

Planning for Gypsies, Travellers and Travelling Showpeople in the South East

3 November 2008

Report of The Head of Planning and Affordable Housing Policy

PURPOSE OF REPORT

To consider the Council's response to a consultation from the South East England Regional Assembly (SEERA) on 'Somewhere to Live - Planning for Gypsies, Travellers and Travelling Showpeople in the South East'

This report is public

Recommendations

The Executive is recommended to:

- (1) endorse this report as the Council's formal response to the South East England Regional Assembly's consultation;
- (2) endorse first, option B, and second, option A, as set out in paragraph 2.17 of this report, as the Council's preferred options for the distribution of new pitches for Gypsies and Travellers;
- (3) endorse option A, as set out in paragraph 2.18 of this report, as the Council's preferred option for the distribution of new plots for Travelling Showpeople.

Executive Summary

Introduction

- 1.1 The South East England Regional Assembly (SEERA) is consulting on the accommodation needs of Gypsies, Travellers and Travelling Showpeople to inform a partial review of the emerging South East Plan.
- 1.2 The South East Plan is being partially reviewed in response to new Government policy which firstly requires the housing needs of Gypsies and Travellers and Travelling Showpeople to be comprehensively assessed and secondly places a responsibility on Local Planning Authorities to identify sites to meet those needs.

- 1.3 Gypsies and Travellers are recognised ethnic minorities and the courts have established that they have a right to 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. They need a permanent home base with storage and maintenance areas for their show or fairground equipment, vehicles and in some cases animals.
- 1.4 The Regional Assembly's consultation highlights that one in four Gypsy, Traveller and Showpeople families living in caravans or mobile homes (as opposed to housing) are homeless as they have no legal place to stop. This makes it difficult to access services such as doctors and schools and causes problems of illegal camping.
- 1.5 The South East Plan will identify, for each local planning authority area, how many household 'pitches' should be planned for Gypsy and Traveller households and how many household 'plots' for Travelling Showpeople.
- 1.6 Advice submitted by Councils to the Regional Assembly suggests that there is a need to provide 1,064 new household pitches for Gypsies and Travellers. Detailed advice was not requested on Travelling Showpeople. For this consultation, SEERA has estimated a need for some 276 plots for Showpeople across the South East between 2006 and 2016.
- 1.7 The consultation paper includes four options (A-D) on how these might be distributed for Gypsies and Travellers, and three options (A, C and D) for Travelling Showpeople. Each option produces different figures for Cherwell. These range from 8 to 25 pitches for Gypsies and Travellers and 2 to 8 plots for Travelling Showpeople.

Proposal

- 1.8 The options it is recommended to endorse for Gypsies and Travellers (options B and A) are those which best accord with advice previously given by the Council to the Regional Assembly through an Oxfordshire steering group, attended by the Portfolio Holder for Planning and Housing.
- 1.9 Option B is that new pitches 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. For Cherwell, this option presently produces a requirement for an additional 8 pitches from 2006 to 2016.
- 1.10 Option A is that new pitches should all be provided as close as possible to where Gypsies and Travellers currently live. This may mean that some Council areas have no spaces. For Cherwell, this option presently produces a requirement for an additional 11 pitches for Gypsies and Travellers from 2006 to 2016.
- 1.11 The option it is recommended to endorse for Travelling Showpeople (option A) is also that which best accords with the advice of the Steering Group i.e. that need should be met in the general location where it arises. For Cherwell, this option presently produces a requirement for an additional 2 plots from 2006 to 2016. However, it is acknowledged that SEERA will need to consider

the results of the forthcoming Travelling Showpeople Accommodation Assessment for Oxfordshire.

Conclusion

- 1.12 Options B and A represent the most appropriate distribution approaches for new pitches and plots for Gypsies and Travellers in Cherwell and should be endorsed. Option B would widen the locational choice at a local level and increase the opportunity for people to benefit from services and facilities in Oxford. Option A would ensure that new pitches and plots are provided to meet local needs. The methodology used for the regional redistribution proposed by Options C and D is not clear. Option A for Travelling Showpeople also aims to address need where it arises (no option B is presented by SEERA).

Background Information

Current Site Provision

- 2.1 Cherwell has three privately owned Gypsy and Traveller sites: Station Caravan Park, Station Approach, Banbury; Smiths Caravan Park, Bloxham Road, Milton; and Bicester Trailer Park, Oxford Road, Chesterton. In 2006, there were 48 household pitches on these sites.
- 2.2 The District has four Travelling Showpeople sites: three at South Newington Road, Bloxham (1. Rose's Yard, Blue Pitts, 2. Carousel Park and 3. Fairacre) and one (Hebborn's Yard) at Bicester Road, Gosford. The number of household plots on these sites is under review.

National and Regional Requirements

- 2.3 The Housing Act 2004 introduced a requirement that local authorities undertake Gypsy and Traveller Accommodation Assessments (GTAAAs) alongside reviews of the housing needs of the rest of the community. These Accommodation Assessments are required to consider the needs of both Gypsies and Travellers and Travelling Showpeople.
- 2.4 Circulars 01/2006 and 04/2007 provide new Government advice on planning for Gypsies and Travellers and Travelling Showpeople. The Government's intentions include creating sustainable, respectful and inclusive communities where travelling people have fair access to suitable accommodation and services, and increasing significantly the number of sites to address current under provision over a period of 3-5 years.
- 2.5 The South East Plan (Regional Spatial Strategy) is required to identify the number of household 'pitches' needed for Gypsies and Travellers and the number of household 'plots' needed for Travelling Showpeople by each local planning authority area having regard to Accommodation Assessments and a strategic view of needs across the region. A Gypsy and Traveller pitch on average comprises 1.7 caravans. A plot for one Travelling Showpeople household is less well precisely defined but includes land set aside for the storage and maintenance of equipment.

Assessing the Level of Need

- 2.6 A Gypsy and Traveller Accommodation Assessment (GTAA) was produced for all Councils in the Thames Valley area in September 2006. This suggested a need for 11 or 12 additional pitches in Cherwell, and 58 for Oxfordshire, from 2006 to 2011.
- 2.7 In December 2006, the Regional Assembly wrote to all local authorities in the South East requesting advice from partnerships of authorities on the number of Gypsy and Traveller pitches required to 2016 and how distribution might be made strategically having regard to the results of Accommodation Assessments. The Assembly asked for two options to be submitted: one based on where need arises and one based on planning, environmental and other identified factors.
- 2.8 An Oxfordshire wide steering group agreed the advice to be submitted to the Regional Assembly on 13 September 2007 (with the exception of Oxford City Council). The advice was submitted to the Assembly by Oxfordshire County Council on 16 October 2007.
- 2.9 In summary, the steering group advised that in its view the overall estimated need for additional Gypsy and Traveller pitches, based on the distribution of existing sites, was as follows:

Table 1: Steering Group's distribution of Gypsy and Traveller pitches based on where need arises

District	Proposed Level of Pitches 2006-2016 (Based on where need arises)
Cherwell	11
Oxford	0
South Oxfordshire	17
Vale of White Horse	1
West Oxfordshire	13
Oxfordshire Total	42

- 2.10 With regard to the Regional Assembly's request for an alternative distribution based on planning, environmental and other identified factors, the steering group (with the exception of Oxford City Council) felt that strategic considerations would not necessarily prevent each district jointly being able to find the land necessary to provide 42 pitches. A shared approach was considered to be an appropriate and pragmatic way of meeting needs and ensuring that all authorities made a contribution to providing sites. Oxford City Council felt that it did not have the potential to provide a roughly equal proportion of the additional pitches and so disagreed with a shared distribution to meet needs beyond 2011. The shared distribution option agreed by the rest of the steering group is shown below:

Table 2: Steering Group's distribution of Gypsy and Traveller pitches based on shared approach

District	Proposed Level of Pitches 2006-2016 (Based on Shared Distribution)
Cherwell	8
Oxford	8
South Oxfordshire	9
Vale of White Horse	8
West Oxfordshire	9
Oxfordshire Total	42

- 2.11 The steering group noted that if a higher number of pitches were to be allocated to Oxfordshire further work would be necessary to take account of opportunities and constraints for site provision within each District.
- 2.12 In comparison to the steering group's advice, the level of need for 2006-2016 extrapolated from the Gypsy and Traveller Accommodation Assessment (GTAA) is as follows:

Table 3: Distribution of Gypsy and Traveller pitches based on GTAA

District	Proposed Level of Pitches 2006-2016 (Based on GTAA)
Cherwell	21
Oxford	6
South Oxfordshire	38
Vale of White Horse	8
West Oxfordshire	26
Oxfordshire Total	98

Note: Figures are rounded and so do not equal the Oxfordshire Total

- 2.13 A Travelling Showpeople Accommodation Assessment for Oxfordshire is nearing completion. In the interim, the Oxfordshire partnership of local authorities agreed that SEERA could, for the purposes of preparing its consultation, calculate a working estimate of the level of need based on a 1.5% per annum population growth rate applied to all known households.

The Regional Assembly's Consultation Options

- 2.14 The Regional Assembly's consultation paper presents a number of questions about the locational needs of the travelling communities and about the level of need for new pitches and plots across the region. The Assembly is consulting on a regional distribution for Gypsy and Traveller pitches, based on the advice submitted by each Council partnership. In Oxfordshire's case this means the lower figures suggested by the steering group rather than the higher figures extrapolated from the Accommodation Assessment. The suggested regional distribution is as follows:

Table 4: Regional Distribution of Gypsy and Traveller Pitches

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

- 2.15 The following regional distribution for Travelling Showpeople plots is also being consulted on:

Table 5: Regional Distribution of Travelling Showpeople Plots

Berkshire	4 plots	Buckinghamshire & Milton Keynes	21 plots
East Sussex	0 plots	Hampshire & Isle of Wight	129 plots
Kent	10 plots	Oxfordshire	7 plots
Surrey	58 plots	West Sussex	5 plots

- 2.16 Four options (A to D) for the distribution of new pitches for Gypsies and Travellers, and three options (A, C and D) for the distribution of new plots for Travelling Showpeople, are set out in the consultation paper:

Option A

New spaces should ALL be provided as close as possible to where Gypsies and Travellers currently live. This may mean that some Council areas have no spaces (*i.e. the level of need suggested as Option A by the Oxfordshire steering group*)

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 (*i.e. the shared approach suggested as Option B by the Oxfordshire steering group*)

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.

- 2.17 These options produce the following distributions for Gypsy and Traveller pitches in Oxfordshire:

Table 6: Regional Assembly's Distribution Options for Gypsy and Traveller Pitches

	Option A	Option B	Option C	Option D
Cherwell	11	8	25	16
Oxford	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 Total	42	42	88	65

- 2.18 Options A, C and D produce the following distributions for Travelling Showpeople plots:

Table 7: Regional Assembly's Distribution Options for Travelling Showpeople Plots

	Option A	Option C	Option D
Cherwell	2	8	5
Oxford	0	1	1
South Oxfordshire	3	4	4
Vale of White Horse	0	5	3
West Oxfordshire	2	6	5
Oxfordshire Total	7	24	18

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 The Regional Assembly is best placed to consider the overall regional need for new accommodation for Gypsies and Travellers and Travelling Showpeople. It has access to Accommodation Assessments produced across the region, evidence submitted by partnerships of authorities and the Assembly is also consulting with the travelling communities and other stakeholders at a regional level. The main issue for Cherwell is considered to be whether the Council should endorse or object to any of the distribution options for each of the two communities.

Gypsies and Travellers

- 3.2 Option A (table 6) is based on where need currently arises. The Regional Assembly notes: *"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 Gypsies and Travellers might want to live but currently do not"*
- 3.3 Although there will often be historical reasons why sites have been developed in the locations they have, it is considered that planning for new pitches on the basis of the location of existing sites is a reasonable approach. Site availability may have been a significant factor in where sites are presently located across the region, but once established, family ties, social networks and local connections are likely to be important locational considerations for newly forming Gypsy and Traveller households. The Gypsy and Traveller Accommodation Assessment for the Thames Valley area appears to support

this: “A third of those interviewed said that they need to move to meet their accommodation needs. Of those needing to move, 60% said that they want to stay in the same area.... 15% were unsure about where they wanted to move and 25% expressed views that they want to move away from their current area. A commonly mentioned reason for wanting to move was to be near family” (para’ 4.8.1).

- 3.4 Option B (table 6), is the shared approach suggested as an alternative option by the steering group. This would enable new pitches to be provided in the broad areas where need arises whilst allowing a wider locational choice for newly forming Gypsy and Traveller households within Oxfordshire. In commenting on accommodation preferences and aspirations, the Accommodation Assessment states, “When asked to describe the important features of their preferred accommodation most people across all tenures noted a need to be near shops, transport, doctors and schools” (para’ 4.3.3.). For this reason, it is felt that Oxford City as a sub-regional centre with major health and other services, should not be ruled out as a place to live for Gypsies and Travellers in Oxfordshire. Oxford also scored highly as a preferred place for more permanent sites in the Accommodation Assessment (para’ 4.11.4). As noted by the steering group (with the exception of the City Council), strategic constraints should not prevent each district from providing an equal share of 42 pitches (at an average of 1.7 caravans per pitch).
- 3.5 Options C and D (table 6) provide for different levels of ‘redistribution’ across the region which would involve more provision in areas where there is little at present. The methodology for how redistribution has been calculated is not provided. These options would widen the locational choice for Gypsies and Travellers but, as acknowledged by the Regional Assembly, may mean that people have to move further afield to find an authorised site. The Regional Assembly’s consultation with the community will be important in understanding whether Gypsies and Travellers would prefer new sites to be provided in areas with larger established communities or a more dispersed approach. However, in the absence of a clear methodology of how redistribution has been calculated, and in view of the Accommodation Assessment’s findings about the majority of people preferring to stay in the same area and about the importance of being close to family, these options are considered to be less appropriate than options B and A.

Travelling Showpeople

- 3.6 The three options for Travelling Showpeople follow the same principles but are based on interim calculations of need. As Government guidance confirms, family links are often important to the running of businesses and living patterns. As for Gypsies and Travellers, the community has generally become more settled. The guidance notes that although travelling is still a key feature of their way of life, a more settled existence can prove beneficial to some in terms of access to health and education services, employment, and integration within local communities. It is considered a locally focused distribution approach as reflected by option A would be the most appropriate option in terms of building on local family connections and traditions and more settled living patterns. However, the Travelling Showpeople Accommodation Assessment for Oxfordshire will be an important consideration in assessing the overall level of need in the County and will need to be sent to the Regional Assembly once completed.

Endorsing Options

- 3.7 For the above reasons it is considered that options B and A represent the most appropriate distribution approaches for new pitches for Gypsies and Travellers in Cherwell and should be endorsed. Option B would widen the locational choice at a local level and increase the opportunity for people to benefit from services and facilities in Oxford. It is therefore preferred. The methodology used for the regional redistribution proposed by options C and D is not clear and should be published. The views of the two communities in response to the Regional Assembly's consultation will be important considerations. For similar reasons, it is considered that option A should be supported for Travelling Showpeople.

Option One	To endorse first, option B and second, option A as the Council's preferred approaches to providing new pitches for Gypsies and Travellers. To endorse option A as the preferred approach to providing plots for Travelling Showpeople.
Option Two	To endorse alternative options or combination of options.
Option Three	To make further comments in response to the consultation.

Consultations

Cllr Michael Gibbard Informal briefing

Implications

Financial:	Financial effects - There are no financial implications arising from this report. Comments checked by Eric Meadows, Accountant 01295 221552.
Legal:	Gypsies and Irish Travellers are recognised ethnic groups for the purposes of the Race Relations Act (1976) (as amended), identified as having a shared culture, language and beliefs. The Act makes it unlawful to discriminate on the grounds of race, colour, nationality, ethnic or national origin. The amending Act (2000) places a general duty on most public authorities to promote race equality. The Council's decisions, and the reasons for them, must be consistent with these duties. Comments checked by Sue Christie, Assistant Solicitor 01295 221690
Risk Management:	This is a response to a regional consultation which will inform the preparation of statutory Development Plan policies. Not responding to the consultation could mean that the Council's views are not taken into account in the

preparation of those policies.

Comments checked by Rosemary Watts, Risk
Management and Insurance Officer 01295 221566

Wards Affected

All

Corporate Plan Themes

Theme 2: Improve Health
Theme 3: Improving Education and Life-Long Learning
Theme 6: Protect and Enhance the Local Environment
Theme 10: Focus on Cherwell's People

Executive Portfolio

Councillor Michael Gibbard
Portfolio Holder for Planning and Housing

Document Information

Appendix No	Title
None	
Background Papers	
Somewhere to Live: Planning for Gypsies and Travellers and Travelling Showpeople in the South East Gypsy and Traveller Accommodation needs Assessment for the Thames Valley Region (September 2006)	
Report Author	David Peckford, Senior Planning Officer
Contact Information	01295 221841 david.peckford@cherwell-dc.gov.uk