

Individual Decisions

The attached report will be taken as an
Individual Portfolio Member Decision on:

1st December 2008

Ref:	Title	Portfolio Member	Page No.
ID1719	Response to the Regional Assembly's Consultation on the Partial Review of the Draft South East Plan: Planning for Gypsies, Travellers & Travelling Showpeople	Councillor Geoff Findlay	3 - 7

Individual Executive Member Decision

Title of Report:	Response to the Regional Assembly's Consultation on the Partial Review of the Draft South East Plan: Planning for Gypsies, Travellers & Travelling Showpeople	Item 1
Report to be considered by:	Individual Executive Member Decision	
Date on which Decision is to be taken:	1 December 2008	
Forward Plan Ref:	ID1719	

Purpose of Report: To recommend Option B as the preferred option for West Berkshire, in response to the Regional Assembly's Partial Review of the Draft South East Plan: Gypsies, Travellers & Travelling Showpeople.

Recommended Action: To recommend Option B as West Berkshire Council's preferred option in response to the Regional Assembly's Partial Review of the Draft South East Plan: Gypsies, Travellers & Travelling Showpeople.

Reason for decision to be taken: To respond to the Regional Assembly's consultation on the Partial Review of the Draft South East Plan.

Key background documentation: Gypsy, Traveller & Travelling Showpeople Policy for West Berkshire

Portfolio Member Details	
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Implications

Policy:	The contents of the report are in line with the Council's Gypsy, Traveller & Travelling Showpeople Policy.
Financial:	None, this is a consultation document only by the Regional Assembly. If there are any financial implications contained within this report this section must be signed off by a West Berkshire Group Accountant. Please note that the report cannot be accepted by Policy and Communication unless this action has been undertaken.
Personnel:	None
Legal:	Legal will have involvement with pitch provision for Gypsies, Travellers & Travelling Showpeople.
Environmental:	
Partnering:	
Property:	Property will have involvement with pitch provision for Gypsies, Travellers & Travelling Showpeople.
Risk Management:	Risk of Planning Permission by Appeal for the Council
Community Safety:	
Equalities:	Gypsies are recognised as an ethnic minority and their rights of equality protected under legislation. For advice please contact Principal Policy Officer (Equalities) on Ext. 2441.

Consultation Responses

Members:	
Leader of Council:	Graham Jones - Supports the recommendation of Option B as West Berkshire's preferred option.
Overview & Scrutiny Commission Chairman:	Brian Bedwell
Policy Development Commission Chairman:	Marcus Franks - Agrees the recommendation of Option B as the Council's preferred option.
Ward Members:	N/A
Opposition Spokesperson:	Royce Longton - I am happy that we recommend Option B. I recall that this was discussed at the LDF Working Group meeting on 31 October.
Local Stakeholders:	N/A
Officers Consulted:	Gary Lugg, Bryan Lyttle & Paul Hendry
Trade Union:	N/A

Is this item subject to call-in.	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by OSC or associated Task Groups within preceding 6 months	<input checked="" type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

Supporting Information

1. Background

- 1.1 The Government has said that the key to a reduction in unauthorised encampments is to increase the supply of authorised sites. The Government is committed to increasing site provision, linked to firm, but fair use of enforcement powers against unauthorised sites and anti-social behaviour.
- 1.2 The new approach provides for:
- (1) Local authorities to take the lead in assessing the accommodation needs of Gypsies, Travellers & Travelling Showpeople alongside those of their settled population.
 - (2) The locally assessed needs of Gypsies, Travellers & Travelling Showpeople to be incorporated into the Regional Spatial Strategy.
 - (3) Each local authority to play its part in meeting that need through the planning system by identifying appropriate sites in local plans.
- 1.3 The system works as follows:
- (1) The Housing Act 2004 requires local authorities to assess the need for Gypsy & Traveller accommodation in their areas when they assess the housing requirements of the rest of the population.
 - (2) Local authorities must then develop a strategy, which addresses the need arising from the accommodation assessment, through public or private provision.
 - (3) The Regional Planning Body (South East England Regional Assembly), on the basis of local authority assessed need, will determine how many pitches should be provided across the region. It will then specify in the Regional Spatial Strategy (the South East Plan) how many pitches need to be provided in each local authority area, ensuring that collectively local authorities make provision in a way, which is equitable and meets the assessed pattern of need.
 - (4) Local planning authorities will be obliged to identify sites in their Development Plan documents, in line with the requirement identified in the Regional Spatial Strategy. It will no longer be acceptable just to

specify planning criteria for sites; local authorities will be expected to identify land.

- (5) Where there is a clear need, if local planning authorities fail to identify sites in their Development Plan documents, the Secretary of State has the power to direct them to do so.

- 1.4 In areas where there is a demand for authorised site provision, local authorities do not have to wait until the end of the planning process described above to provide more sites.
- 1.5 Joint action is now being taken by Planning, Housing and Property Services to develop and identify land suitable for permanent sites within existing Planning Policy and the LDF. This will avoid a potential risk of challenge on future Planning decisions where the Planning Inspectorate would take into account a Council's progress on identifying additional pitches and sites, which could result in Planning permission by appeal.

2. Gypsy, Traveller & Travelling Showpeople Accommodation Assessments for Berkshire

- 2.1 The six Berkshire authorities have worked together as a 'Berkshire Grouping' for the purposes of providing advice to the Regional Assembly on the Draft South East Plan Partial Review: Gypsies, Travellers and Travelling Showpeople. In October 2007 the Assembly was advised that based on the ACTVaR Gypsy and Traveller Accommodation Assessment (GTAA) Study a total of 78 additional pitches were required to be provided over the 10 years 2006-2016 across the county.
- 2.2 Advice was submitted by the Berkshire authorities on two distribution options:
 - (1) Option A
 - (a) This option identified needs where they arise though the GTAA and existence of authorised sites. All the GTAA's, provided by local authorities in the Region have been assessed and independently audited by the Regional Assembly.
 - (2) Option B
 - (a) This option includes the distribution of the number of pitches assessed for each local planning authority, but takes account of planning, environmental and other identified factors.
 - (b) This second option required by the Regional Assembly, led to a Berkshire consultation on stakeholder engagement on the Provision of Caravan Sites for Gypsies & Travellers. This was sent to all Council Members and Parishes in Berkshire for their views. From this, external consultants were appointed to undertake a Berkshire Gypsy & Traveller Pitches Distribution Study.
 - (c) The criteria from the study sought to protect and enhance the natural environment, including its biodiversity and landscape character, whilst making the best use of previously developed land. Access to services, education and employment are also key considerations. There is a

presumption against inappropriate development in the Metropolitan Green Belt. The total number of new pitches for Berkshire remains the same at 78 pitches, as in Option A. Option B, however, amends the distribution to each unitary authority in Berkshire to take account of these factors. The distribution of the additional pitches was agreed at Berkshire Leaders' meetings.

- 2.3 Two further options, (C) and (D), were devised by the Regional Assembly. These are two variant, to a degree, re-apportionments of the additional number of pitches required and seeks to even out the pitch allocation across the Region. This has mainly come from the eastern local authorities where pitch provision has traditionally been higher and seeks to re-distribute pitch numbers to the west.
- 2.4 The Regional Assembly has confirmed that the figure for Berkshire of 78 additional pitches will apply to all 4 options, which is a unique position for Berkshire, but the distribution between authorities shows some variation. See the table below.

Gypsy and Traveller Residential Pitch Options 2006-2016 for Berkshire				
	Option A	Option B	Option C	Option D
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

- 2.5 A later Berkshire assessment was made in 2007 at the request of the Regional Assembly, to include Travelling Showpeople. Dependant on the option chosen for Berkshire, which would be between 3 and 11 plots, with a West Berkshire allocation of 1-4 plots.
- 2.6 The regional assembly is currently undertaking a public consultation on the various options from September to November 2008, prior to submission to Government of the South East (GOSE) in Spring 2009.
- 3. Recommendation and Response to Consultation**
- 3.1 The recently adopted Council Policy for Gypsies, Travellers and Travelling Showpeople provides a strategic approach to Gypsy & Traveller issues and seeks to co-ordinate Council Services to deliver this. The Policy includes the background to the Gypsy & Traveller Accommodation Assessments.
- 3.2 In responding to the consultation West Berkshire will reinforce its previous advice to the Assembly and answer the consultation questions consistent with this previously agreed position. It is therefore appropriate to select option B in respect of the Gypsy, Traveller & Travelling Showpeople pitch provision as the preferred distribution option.

Appendices

None