

## **MATTER 1 OVERALL REGIONAL NEED AND PROVISION**

### **Matter 1A Overall Regional Need and Deliverability**

#### **1.1 Has EERA's background work fully understood the needs of all relevant gypsy and traveller groups?**

Understanding of the needs of the Gypsy and Traveller Community in the East of England to inform draft policy was accumulated throughout the policy development process, through including representatives of the community on the Steering Group, and through an open, inclusive and far reaching consultation process. This was considered as vitally important to the process as there is little documented evidence available on the needs of gypsy and traveller groups, and even less that particularly describes the community and needs in the East of England.

##### ***Steering Group***

Including representatives from the Gypsy and Traveller community on the Steering Group was particularly helpful for a number of reasons:

- improving the wider steering group's understanding of Gypsy and Traveller perspectives and the issues faced by their communities;
- establishing and maintaining links with Gypsy and Traveller representative bodies and other members of the travelling communities in the East of England;
- assisting on interview panels during research commissioning processes,
- facilitating site visits for EERA staff;
- actively participating in a wide variety of the Regional Assembly's seminars and public meetings; and
- A key role in responding, as representatives of their communities, to the media interest which has been stimulated by the review process.

Initially, there were two representatives from the Gypsy and Traveller Community on the Steering Group but this was extended to ensure Travelling Showpeople, Traveller of Irish Travellers and New Travellers were also represented. Unfortunately, no one from the New Traveller community was able to join the group.

##### ***GTAA evidence on extent of community involvement***

The Benchmarking of GTAAs carried out by CURS<sup>1</sup> included the question: "are all appropriate groups considered in the assessment"? This found a variety of approaches across the region, with some GTAAs not specifically involving various groups such as Travelling Showpeople, New Travellers, Gypsies and Travellers in housing, and other minority Gypsy and Traveller Groups. In some cases this is a reflection on whether or not the particular groups were perceived to be present in the GTAA area.

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<sup>1</sup> Core Document 2.1: Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies, CLG in partnership with GO-East and EERA/SEERA/SWRA, Mar 07. Study undertaken by the Centre for Urban and Regional Studies (CURS).

### ***Consultation with the Gypsy and Traveller Community***

Printed copies of the Issues and Options consultation document<sup>2</sup>, including a covering letter and response form, were sent to all statutory consultees and a wide range of non-statutory consultees, including Gypsy and Traveller representative bodies.

EERA acknowledged early on in the review that the general consultation process was unlikely to be successful in reaching all Gypsies and Travellers, and that EERA had little experience of consulting directly with the Gypsy and Traveller community. EERA therefore commissioned the Ormiston Children and Families Trust to advise on how best to engage with Gypsies and Travellers, and then to undertake the consultation. The Ormiston Trust carried out a survey of the Gypsy and Traveller community, involving the community at all stages in the project, including designing the questionnaire and undertaking the survey<sup>3</sup>. These were conducted at the same time as the public engagement events. They were undertaken with: Gypsies and Travellers resident on local authority/registered social landlord managed sites; private authorised sites; private unauthorised developments; and unauthorised encampments. Some housed families were also included. The results of the work carried out by the Ormiston Trust, although not considered statistically rigorous given the sample size and distribution provides much useful background qualitative information about the Gypsies and Travellers resident in the region and their views on the issues raised in the consultation<sup>4</sup>.

### ***Transit pitch needs***

EERA are aware that the draft policy H4 does not allocate Transit pitch numbers for the region, which are required to assist the pursuit of a travelling lifestyle. In developing the policy, EERA were unable to address transit need for a number of reasons. Firstly, there was no guidance available on how best to assess Transit need. Secondly, the evidence on Transit need was not available in all GTAAs for the region, and perhaps most crucially, the shortfall in permanent pitches in the Region is such that any estimation of transit need based on unauthorised encampment numbers from CLG Caravan Count data, for example (as commented on in report by CURS<sup>5</sup>), would be skewed as:

- Unauthorised encampments may consist of Gypsy and Traveller families unable to access authorised permanent pitches i.e. they may not be seeking a transit pitch at all
- Unauthorised encampments are especially likely to be missed from the return unless the local authority is very active and has good identification and recording systems.

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<sup>2</sup> Within Core Document 1.9: Planning for Gypsy and Traveller accommodation in the East of England: Issues and Options Consultation Document May 2007

<sup>3</sup> Core Document 1.14: Consultation with Gypsy and Traveller Communities on policy options for the draft revision to the Regional Spatial Strategy for the East of England to address the provision of Gypsy and Traveller Caravan sites, Ormiston Children and Families Trust, Oct 07

<sup>4</sup> Core Document 1.13: EERA response to Ormiston Trust consultation, Nov 07

<sup>5</sup> Core Document 2.1 see foot note 1.

- Unauthorised encampments arise from a dynamic process, and snapshot Counts – even if totally accurate – can be misleading because of events on the day of the Count.

Despite the absence of transit pitch numbers in the draft policy, this should not preclude local authorities providing, or granting permission for transit sites if there is a local need.

### ***Travelling Showpeople needs***

EERA have also not provided an assessment of Travelling Showpeople needs in the draft policy. This is because Circular 04/2007 Planning for Travelling Showpeople<sup>6</sup> was issued after the policy development process for Gypsy and Traveller needs had begun, which specifically excluded Travelling Showpeople needs. EERA have been working with the Showman's Guild to gather information on current supply and need which was presented at the EiP Preliminary Data meeting. Whilst EERA considers that the information collected is robust, it is not in a position to suggest any revision to the Policy having not undertaken formal public consultation to inform its decision-making.

### ***Meeting the needs of Gypsy and Travellers through the appropriate design of sites***

Regarding provision of sites and pitches, Para 5.17 of the supporting text to the draft policy requires LPAs to consider the needs of the Gypsy and Traveller community in their part of the region when setting appropriate policies in LDDs, and refers to a CLG Document guidance on the design of sites for Gypsy and Travellers. The final version of this document has now been updated and it would be appropriate to update this reference in the adopted policy<sup>7</sup>.

## **1.2 Is the proposed regional pitch provision (1,187 by 2011) adequately based on the evidence available (including the results of benchmarking the GTAAs, and current numbers of unauthorised pitches?)**

EERA and CLG commissioned CURS to undertake a study<sup>8</sup> which would:

- Produce a methodology which can be employed by Regional Planning Bodies (RPBs) to benchmark the robustness and consistency of Gypsy and Traveller Accommodation Assessments (GTAAs) covering their region and, where appropriate, GTAAs in adjoining regions.
- Develop a transparent and reliable method for translating the results of local GTAAs into regional pitch requirements.
- Support RPBs in the process of allocating pitch requirements between LPAs.
- Apply the methods devised in the East of England – both to assist the East of England Regional Assembly and to act as a 'case study' example for other regions.

<sup>6</sup> Core Document 2.4: Circular 04/2007 – Planning for Travelling Showpeople, CLG, August 2007

<sup>7</sup> Core Document 2.8: Designing Gypsy & Traveller Sites, Good Practice Guide, May 2008

<sup>8</sup> Core Document 2.1 see foot note 1

The methodology developed to estimate additional residential pitches required in the East of England uses the evidence that was available the time: GTAA's and CLG Caravan Count data. GTAA's were assessed for robustness in methodology and how need had been calculated. Where GTAA's were not found to be robust, or had not been completed, the "Formula Approach" was used to assess need in the sub-region area. This used CLG Caravan Count data for Authorised sites and Unauthorised development, and a conversion factor of 1.7 to derive pitch numbers from caravan numbers. The estimate for need in the East of England derived using this approach was 1220 additional residential pitches.

Need at a district level was then estimated, again using a combination of the GTAA and Caravan Count data (further detail on district allocations are described in Matter 2 Statements). Additional provision estimated for each district totalled 1216, and this distribution was tested as Option 1 in the Options Consultation.

Three GTAA's became available after the Option's consultation process. For consistency, CURs were asked to benchmark this new evidence<sup>9</sup>. Two out of the three GTAA's were found to be robust, so the Regional Planning Panel agreed on the 27<sup>th</sup> September 2007<sup>10</sup> that the pitch numbers previously estimated using the Formula Approach should be replaced with the robust GTAA information. This resulted in a slight reduction in the total regional additional pitch need to 1187.

Criticism of this approach at reaching a regional estimate has focussed on the unreliability of Caravan Count data. However, CURS recognise the limitations of caravan counts in their report, and the "Formula Approach" does attempt to make allowances for these limitations but CURs stress that this means that resulting assessments will be the bare minimum rather than generous.

The caravan to pitch conversion factor has also been criticised, however this is clearly stated in the CURs report to be an average of the pitch to caravan ratios in the GTAA's assessed, and is as such considered to be the best estimate available for converting caravan count data into pitch numbers.

EERA consider that despite the variability of methods used in GTAA's, and the ongoing issues with Caravan Count, the best information and advice available has been used to provide the Regional figure of 1187 additional pitches between 2006-2011.

### **1.3 Is the guidance given for Local Development Document preparation on making provision beyond 2011 appropriate and clearly expressed? What end date should the policy relate to (draft Policy H4, 2<sup>nd</sup> para following table)?**

The policy to assume a 3% annual increase in the level of overall provision was included as guidance to inform the LDD process which goes beyond 2011.

<sup>9</sup> Within Core Document 1.9: Temporary consultancy for various advice on Gypsy and Traveller matters (CURS, August 2007)

<sup>10</sup> Core Document 1.15: EERA Regional Planning Panel, item 2, meeting 27 September 2007

The 3 % figure was recommended by CURS<sup>11</sup> and the Regional Planning Panel agreed this approach on 12<sup>th</sup> December 2007<sup>12</sup>. It assumes family growth at a greater rate to the settled community, due to larger families and shorter generations. For comparison this is slightly less than observed population growth of traveller families in the Republic of Ireland. The 3% assumes no inter-regional migration of Gypsies and Travellers seeking permanent pitches.

The Regional Planning Panel agreed that the 2006-11 distributional approach set out in the Policy should be continued after 2011 in order to continue to widen the distribution and locational choice of residential pitches for Gypsies and Travellers.

Using 3% annual growth will only provide estimated population growth beyond 2011. The Policy clearly states that evidence from future updated GTAAs can also be used. It was not considered necessary to include an additional set of pitch figures within the policy as guidance. EERA appreciate that this does however make it unclear as to what a District's pitch provision should be beyond 2011 in the absence of updated GTAAs, and the application of the distributional approach may cause confusion. EERA produced a spreadsheet for the Technical Date Meeting showing the pitch numbers implied by the Policy for 2011-2021 (Core Documents 4.19 and 4.20). This could form an addition to the Supporting Text for the Policy.

#### **1.4 Could any interim guidance be included in this RSS review on provision for transit sites, and if so what?**

As stated above in response to 1.1, although a need for transit sites is acknowledged, EERA were unable to estimate the level of transit need due to a lack of robust evidence base and guidance, and such a large shortfall in permanent pitch provision.

The most cogent analysis of the scale of need for transit site provision in the East of England remains that provided on pages 72-73 of the CURS report<sup>13</sup>. This suggested that, an objective to accommodate all summer caravans “might suggest a need for between 20 to 30 sites with an average capacity of 10 or 15 caravans” and noted that a great deal more research is needed to establish patterns.

There are currently only 30 Transit pitches in the East of England: 15 in Hertsmere and 15 in Great Yarmouth<sup>14</sup>. Transit pitches that were available in the Cambridgeshire Sub-Region have become permanent sites due to lack of residential provision<sup>15</sup>.

To complicate matters further GTAAs for South Norfolk, Bedfordshire and Luton, and North and East Hertfordshire refer to a need for Temporary or Emergency Stopping Places, rather than Transit pitches, which are a separate category of pitches, that do not appear to be included in ODPM Circular 01/2006.

<sup>11</sup> Core Document 2.1 see foot note 1.

<sup>12</sup> Core Document 1.11: EERA Regional Planning Panel, item 3, meeting 12 December 2007

<sup>13</sup> Core Document 2.1 see foot note 1

<sup>14</sup> Core Document 4.15 rev: Baseline & planned number of residential & transit pitches at January 2006 by District, & updated information for January 2007, EERA Table 1

<sup>15</sup> Core Document 4.10: Cambridge sub-region GTAA, Anglia Ruskin Uni & Bucks Chiltern Uni college, May 2006

This is not intended to criticise the GTAAAs, as they were among the first to be completed in the England, and some prior to the publication of CLG's "Gypsy and Traveller Accommodation Needs Assessments: Guidance"<sup>16</sup>. EERA believe that the next round of GTAAAs will provide much stronger evidence on which to base a regional figure distribution of Transit pitches.

EERA accepts that stronger guidance should be provided in Policy H4 on interim measures to ensure Transit Pitches are provided, and suggests additional wording: "In the absence of guidance on the level of Transit pitch provision to meet the needs of Gypsy and Travellers, Local Authorities should seek to achieve appropriate levels of transit provision particularly where need is evident from unauthorised encampment not arising from a demand for permanent pitches."

### **1.5 Is the reference to the needs of travelling showpeople (draft Policy H4 supporting text, para 5.20) adequate? If not, how could it be made more meaningful?**

CLG Circular 4/2007 Planning for Travelling Showpeople<sup>17</sup> was issued after the process to develop the draft policy was well underway. There is also no guidance available on how future needs of Travelling Showpeople should be assessed. EERA have obtained information via the Section 4(4) local authorities on current Travelling Showpeople populations and evidence of future need, and future need for Travelling Showpeople is also addressed in 3 out of the 9 GTAAAs for the region.

Representatives from the Showman's Guild of Great Britain have provided an indication of the current population and estimate of immediate and future need at a county level, and for Broxbourne and Thurrock where significant populations currently reside. This information indicates the level of need and from where it arises but does not attempt to provide a 'strategic view' as to how Travelling Showpeople sites should be distributed across the region. A policy position has not been agreed by the Regional Planning Panel, or been through public consultation, so EERA are unable to propose a regional distribution from this evidence, and believe the reference to interim measures in para 5.20 of the draft policy is appropriate.

The travelling patterns of Travelling Showpeople are much broader than the Gypsy and Traveller population, and evidence also suggests that some Travelling Showpeople in the Thurrock area have been displaced from neighbouring regions as a result of high land values and/or lack of available sites. Therefore, EERA consider it a role of CLG to undertake research at a national level to provide a better evidence base on which to make decisions about the distribution and level of Travelling Showpeople pitch provision between Regions.

<sup>16</sup> Core Document 2.9: Gypsy & Traveller Accommodation Needs Assessments, Guidance, CLG Oct 2007

<sup>17</sup> Core Document 2.4: Circular 04/2007 – Planning for Travelling Showpeople, CLG, August 2007

**1.6 In the context of historic under-provision:**

- i) are the proposed policy and delivery mechanisms adequate to implement the necessary site provision on the ground (supporting text, para 5.18)**

EERA are aware that it will be challenge to provide 1187 additional pitches by 2011 in order to meet the current shortfall in residential pitches. Across the Region most local authorities are in the process of moving to the new system of Local Development Documents. These are at a variety of stages and so some authorities will have more scope than others to bring forward LDD policies on pitch provision. However, the need is urgent, and the Policy sets out that Local Planning Authorities should seek to achieve the levels of provision as soon as possible through the development control process as well as through the preparation of Local Development Documents. Once approved in 2009 the RSS Policy will form part of the development plan and be a material consideration in planning applications, even where LDDs are still in preparation.

Paragraph 5.18 sets out the possible support to delivery. The East of England Region has £27m (out of a total housing pot for the Region of £826m) specifically allocated over the next 3 years for the provision and refurbishment of publically owned pitches (Core document 4.21: GO-East Briefing Note on Gypsy and Traveller Site Grants and Delivery Mechanisms). Depending on the nature of grant required that could support up to 30% of the total annual average pitch provision (similar to the rate of affordable housing required in the East of England Plan for all housing). Although take-up of the grant has been good in previously years, this years bidding round has been disappointing. Government Office expressed a view that this a negative affect of the Policy review process itself, as Local Authorities seem to be waiting to see the outcome of the Review. Operation of this grant will be transferred to the new Homes and Communities Agency when it starts work in December 2008, and EERA will continue to seek to advance new schemes.

The Ormiston Report identified a preference amongst many Gypsy and Traveller families to purchase and develop pitches, but that they were being prevented by the lack of opportunities. The approval of the Policy would by itself facilitate sites coming forward through the planning system.

Paragraph 5.18 also sets out other ways to facilitate delivery, such as advice, which will be explored as the Policy is taken forward.

Although the distribution of pitches will be discussed in Matter 2, one aspect of requiring every District to provide at least 15 additional pitches does enable the whole region to contribute to delivering the 2011 target.

EERA requested information from LPAs on delivery of residential sites since January 2006, and the data collected (although information has not been provided from all LPAs) was presented at the Technical Meeting (Core Document 4.30). This showed that at least 110 additional permanent pitches and 92 pitches with temporary permission have been delivered since Jan 2006. In addition, permission has been granted for at least a further 55 pitches. This totals 257 pitches, compared to the annual average rate of 237 proposed in the Policy.

**ii) are the proposed monitoring arrangements adequate (supporting text, para 5.19)?**

EERA consider monitoring the implementation of this policy, as with all RSS policies, as vital in contributing to longer term delivery of pitches and improving data collection at local level. This in turn will provide robust evidence on which to base future reviews of Policy H4. EERA will ask LPA's to provide the number additional net completed authorised pitches, both permanent and transit, based on the current CLG Regional Spatial Strategy and Local Development Framework Core Output Indicators – Update 2/2008<sup>18</sup> regional monitoring guidance for Gypsy and Traveller pitches delivered as part of EERA's Annual Monitoring Reports, which are made publically available on EERA's website.

This CLG monitoring guidance does not provide detail on whether residential pitches with temporary permission should be included with those with permanent permission. EERA will add a note to the guidance on this indicator to make sure temporary permissions are included as a sub-category. Any subsequent loss of pitches with temporary permission that expires obviously reduces the contribution the District has made in reaching its required pitch allocation, and the monitoring needs to reflect that so that additional pitches can be provided.

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<sup>18</sup> Regional Spatial Strategy and Local Development Framework Core Output Indicators – Update 2/2008:  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/coreoutputindicators2.pdf>