

## Draft Response to the Partial Review of the Regional Spatial Strategy: Gypsy and Travellers Policy GT1

### Summary

- A4.1 Bath & North East Somerset Council's proposed response reflects the recommended provision identified in the West of England Gypsy and Traveller Accommodation Assessment (GTAA). The findings are summarised as follows:

There is a need for a total of 19 residential pitches to be provided in Bath & North East Somerset for the period 2006 – 2011. The consultants who undertook the GTAA have suggested a figure for provision of transit sites but recommend that it is premature to estimate transit needs until sufficient long-stay accommodation is available, and that transit provision is best approached by negotiation between districts and at a regional level.

- A4.2 The West of England GTAA was received by the Council in August 2007. It was prepared by Dr Margaret Greenfields (Buckinghamshire Chilterns University College) and Professor Robert Home (School of Law, Anglia Ruskin University) the consultants commissioned to undertake the study jointly on behalf of the four West of England Unitary Authorities, Bath & North East Somerset Council, Bristol City, North Somerset and South Gloucestershire.
- A4.3 The West of England GTAA has examined the shortfall in accommodation as well as making projections of future growth in accommodation needs. It has taken into account latent demand (e.g. population growth, concealed households i.e. gypsies currently in bricks and mortar). The initial focus has been on providing an assessment of accommodation needs for the period 2006 – 2011. The assessment required a face-to-face survey of a representative sample of the local Gypsy and Travellers population. The accommodation assessment has involved Gypsies and Travellers through a Forum and by involving the local communities in the survey itself.

### Context

- A4.4 In December 2006 Strategic Planning Authorities throughout the South West were invited by the Regional Assembly to provide formal advice on interim pitch numbers for the period 2006 – 2011 for their area. This advice should comprise:
- The number of additional pitches required, for each local planning authority covered by the authority grouping responding, over the period 2006 – 2011 (for the translation into specific site allocations in development plan documents);
  - A commentary on the community involvement, including with Gypsy and Traveller communities, undertaken during the processes leading to the submission of advice (including the GTAA process), particularly in terms of any Statement of Community Involvement;
  - A qualitative assessment of the demand for transit pitches; and

- The Gypsy and Travellers Accommodation Assessment and any other evidence used to inform the advice submitted.
- A4.5 The Regional Assembly indicated that for the purposes of the consultation on the Partial Review, where available, pitch numbers derived from the advice of strategic planning authorities would be included. If not available, in some cases estimates from the authorities would be included for subsequent updating, and failing that, an estimate deriving from a Communities and Local Government formula will be included.
- A4.6 As the West of England GTAA was not scheduled to be completed until August 2007, the four constituent Unitary Authorities agreed with the Regional Assembly to submit interim pitch figures for each District from the draft findings of the GTAA.
- A4.7 The consultants undertaking the GTAA were requested to prepare interim pitch numbers for inclusion in the consultation draft of the Regional Spatial Strategy Partial Review. In the case of Bath & North East Somerset this indicated a need for 18 residential pitches for the period 2006 - 2011. If these interim pitch numbers had not been derived from the draft GTAA the SWRA would have based the pitch numbers for the West of England on an assessment using the approach set out in the Communities and Local Government Report *Preparing Regional Spatial Strategy Reviews on Gypsies and Travellers by Regional Planning Bodies*.
- A4.8 This figure was included in the pitch requirements table accompanying draft policy GT1 for consideration by the Regional Assembly on 13 July 2007. It was made clear to the Regional Assembly, however, that as work was still ongoing on the GTAA this figure was liable to change and had been provided without prejudice to any position this Council may take once it has had an opportunity to properly consider the contents of the final GTAA and that the Council therefore reserved its right to dispute these figures at the consultation stage of the Partial Review.
- A4.9 Consultation with stakeholders on the Partial Review of the RSS is currently taking place between 8 August and 31 October 2007 during which time a formal response can be submitted to the Examination in Public Panel.

### **Response to the RSS Partial Review Consultation**

- A4.10 In responding to the consultation on the RSS Partial Review the Council proposes to firstly address the four requirements listed above in paragraph A4.4, then by making specific comments on draft Policy GT1 and supporting text.
- ***The number of additional pitches required, for each local planning authority covered by the authority grouping responding, over the period 2006 – 2011***
- A4.11 Compared with the other three West of England Unitary Authorities, historically Bath & North East Somerset has had a relatively small gypsy and traveller population. There are currently no authorised gypsy and traveller sites within the District. Neither are there any sites allocated for gypsy and traveller accommodation through the Bath & North East Somerset Local Plan. However the lack of either permanent residential or transit sites in the District has led to a number of unauthorised sites and private sites without planning permission and raises a number of enforcement issues.

A4.12 The number of additional residential pitches required for Bath & North East Somerset over the period 2006 – 2011 is 19.

**Table 1 Gypsy and Traveller Residential Pitch Requirements for Bath & North East Somerset 2006 – 11**

	<b>Total Residential Pitch Requirement 2006 - 2011</b>
<b>B&amp;NES</b>	<b>19 pitches</b>

A4.13 These figures are derived from West of England Gypsy and Travellers Accommodation Assessment (GTAA) undertaken by Dr Margaret Greenfields (Buckinghamshire Chilterns University College) and Professor Robert Home (School of Law, Anglia Ruskin University) the consultants commissioned to undertake the study jointly on behalf of the four West of England Unitary Authorities, Bath & North East Somerset Council, Bristol City, North Somerset and South Gloucestershire in line with the latest Government guidance. The consultants commissioned to carry out the study have applied the recommended methodology in the ODPM/DCLG draft guidance 'Gypsy and Traveller Accommodation Assessments' issued in February 2006. The GTAA shows the detailed breakdown of figures for Bath & North East Somerset in Table 13 of the GTAA with explanatory notes (page 50).

The GTAA also recommends the need for one pitch for travelling showpeople for Bath & North East Somerset as indicated in Table 21 (page 57).

▪ **Community Involvement**

A4.14 In preparing the West of England GTAA, consultation and engagement with the Gypsy, Travellers and Travelling Showpeople communities has been comprehensive and sustained and has been designed to achieve partnership working. This is in line with Communities and Local Government guidance, which recommends that hard-to-reach groups should be stakeholders in research about their needs.

A4.15 An advisory consultation forum of Gypsies, Travellers and Travelling Showpeople has been formed. This Forum includes community members from across the West of England and has played an active part in the development of the Gypsy and Travellers Accommodation Assessment, including participating in the development of questionnaires to both housed and 'sited' (including roadside) families.

A4.16 In addition to the above, Forum members include a representative of each Local Authority; specialist health staff and the Traveller Education Service. The core group is actively involved in advising the process of the GTAA. Interviewers for the Accommodation Assessment are members of the Gypsy, Traveller and Showpeople communities. This has helped to develop community capacity, and create a core of Gypsy, Traveller and Showpeople interviewers available for future work, with the skills to disseminate their training and knowledge to other members of their communities.

A4.17 The completed GTAA will form a large part of the evidence base for the West of England Authorities and will underpin any future planning policy documents which relate to the accommodation provision for Gypsies and Travellers. The West of England GTAA was publicly launched in September.

A4.18 The Council also has expressed its commitment in its Statement of Community Involvement (submission version April 2007) to consult with residents, community groups, Town and Parish Councils and other organisations through appropriate consultation processes. The Statement of Community Involvement also refers to the gypsy and traveller community as a particular target group, which the Council seeks to engage on issues of direct relevance to that group in the emerging Local Development Framework for Bath & North East Somerset.

▪ ***Demand for Transit Pitches***

A4.19 The consultants who undertook the GTAA have suggested a figure for provision of transit sites but recommend that it is premature to estimate transit needs until sufficient long-stay accommodation is available, and that transit provision is best approached by negotiation between districts and at a regional level.

▪ ***Gypsy and Travellers Accommodation Assessment***

A4.20 The West of England GTAA will be forwarded to the Examination in Public Panel as the robust evidence base which informed the Council's response to the Partial Review of the Regional Spatial Strategy. The GTAA will also be forwarded to the South West Regional Assembly for information and made available for inspection at the Council's Public Access Points for Committee Papers and on the Council's website [www.bathnes.gov.uk](http://www.bathnes.gov.uk). The West of England GTAA not only includes the needs of Gypsies and Travellers but also Travelling Showpeople in line with Government guidance since this group now fall within the definition of 'gypsies and travellers' for the purposes of undertaking GTAAs (Housing Act 2004, s255).

## **Draft representations on the Partial Review**

### **Policy GT1 - Table 4.3**

A4.21 The Panel is requested to consider replacing the estimated figure of 18 residential pitch requirements for Bath & North East Somerset with the requirements for 19 residential pitches for the period 2006 – 2011, but not to include a transit pitch figure Bath & North East Somerset, as follows:

**Table 4.3 Housing Market Areas, Unitary Authorities and Districts: Gypsy and Traveller Pitch Requirements to 2011**

	<b>Residential Pitch Requirement</b>	<b>Transit Pitch Requirement</b>
<b>BATH &amp; NORTH EAST SOMERSET</b>	19	0

A4.22 The figure for permanent pitches is derived from the recommendations of the West of England GTAA for the period 2006 – 2011. The consultants who undertook the GTAA have suggested a figure for provision of transit sites but recommend that it is premature to estimate transit needs until sufficient long-stay accommodation is available, and that transit provision is best approached by negotiation between districts and at a regional level. This has been endorsed by the Council on 13 September 2007.

### Accommodation needs beyond 2011

A4.23 It is appreciated that key policies, principles and outcomes of the RSS will be monitored through the Annual Monitoring Report process and that a rolling process of review of the RSS Implementation Plan will take place to ensure the RSS policies to be implemented. However it is recommended that the Panel considers how the issue of provision for accommodation needs of gypsies and travellers in the Region will be addressed in the RSS beyond 2011. Absence of such a commitment in the RSS is likely to cause difficulties at a local level when addressing the future accommodation needs of gypsies and travellers through the Local Development Framework after 2011.

### Travelling Showpeople

A4.24 Travelling Showpeople now fall within the definition of 'gypsies and travellers' for the purposes of undertaking GTAAs (Housing Act 2004, s255<sup>1</sup>). Paragraph 19 of the recent DCLG publication '*Consultation on revised planning guidance in relation to Travelling Showpeople*' (January 2007) states that information from GTAAs pertaining to the accommodation needs for travelling showpeople will be a key component in the overall assessment of need which informs policies in the RSS. It also states that the RSS revision should identify the number of pitches required (but not their location) for each local planning authority in the light of GTAAs and a strategic view of needs across the region. Whilst it is recognised that not all GTAAs in the South West will have necessarily included an assessment of needs in respect of travelling showpeople, it is requested that the Panel should consider amending the RSS to address the accommodation needs of this particular community group to conform to the regulations.

### Recommendations to the EiP Panel

Bath & North East Somerset Council recommends that:

A4.25 The EiP Panel takes account of the detailed response above (paras A4.10 – A4.20) in respect of the following four requirements:

- The number of additional pitches required, for each local planning authority covered by the authority grouping responding, over the period 2006 – 2011
- Community Involvement
- Demand for Transit Pitches
- Gypsy and Travellers Accommodation Assessment

A4.26 The Panel is requested:

- a) to replace the estimated figure of 18 residential pitch requirements for Bath & North East Somerset with the requirements for 19 residential pitches for the period 2006 – 2011;
- b) not to include figure transit sites for Bath & North East Somerset. This is because on the advice of the consultants, who undertook the West of England GTAA, it is premature to estimate transit needs until sufficient long-stay accommodation is

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<sup>1</sup> The Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (England) Regulations 2006

available and that transit provision is best approached by negotiation between districts and at a regional level;

c) that consideration is given to the points raised in paragraph A4.23 in relation to gypsy and traveller accommodation needs beyond 2011;

d) that consideration is given to the immediate and future accommodation needs of travelling showpeople in the RSS; and

d) to note that Bath & North East Somerset Council intends to continue working in partnership with the other West of England Unitary Authorities, as appropriate, to ensure that proper provision for gypsy and traveller accommodation is made in suitable locations to meet the future accommodation needs of that community through the Local Development Framework and any review of the GTAA.