

REPORT OF THE DEPUTY DIRECTOR FOR PLANNING AND COMMUNITY STRATEGY
TO EXECUTIVE
17 OCTOBER 2008

Partial Review of the South East Plan - Provision of Caravan Sites for Gypsies and Travellers

1.0 Introduction and Report Summary

- 1.1 The South East Regional Assembly (SEERA) is undertaking a partial review of the South East Plan relating to the provision of sites for gypsies and travellers in the south east. The first stage was an opportunity for councils to submit their advice on the expected numbers and distribution of sites in their areas. In Oxfordshire a steering group of Councillors representing the County Council and the five District Councils worked with the support of an officer working group to provide a response. The work involved consultation with stakeholders, a recalculation of the expected need as set out in the Gypsy and Traveller Accommodation Assessment (GTAA) prepared by the Association of Councils of the Thames Valley Region (ACTVaR) and an alternative disaggregation of the County figure down to District level. The recalculated need for the County to 2016 is 42 pitches in comparison to the original GTAA figure of 98 to 2016. The response of this Council was agreed at a meeting of the Executive on 5th October 2007.
- 1.2 SEERA is now undertaking consultation on four options for pitch provision for long term occupation, transit spaces and travelling showpeople. The closing date for responses is 21 November 2008. A public consultation event will be taking place in Oxfordshire. Following consultation SEERA will submit a draft Partial Review document and Sustainability Appraisal to Government in April 2009 and then an Examination will follow with adoption expected in 2010.
- 1.3 The Strategic and Local Planning Advisory Group met on 6 October 2008 and agreed with the recommendations set out below.
- 1.4 The Contact Officer for this report is Peter Williams, Principal Planning Officer, (01235 520202 ext 502)

2.0 Recommendations

That the Council:

- (a) *supports the suggested overall provision of 42 gypsy and traveller pitches in Oxfordshire and provision for the Vale of either 1 pitch under option A;*
- (b) *opposes the redistribution of gypsy and traveller pitches across the region under options B, C and D as being arbitrary, not supported by evidence and unsustainable;*
- (c) *supports the consultation's transit site provision for Oxfordshire and requests SEERA to clarify the basis for the local distribution of sites and how the*

provision relates to the translation of transit provision into new sites in the GTAA;

- (d) supports the overall provision of 7 travelling showpeople plots across Oxfordshire and the distributions under options A and B with a preference for A;*
- (e) opposes the redistribution of travelling showpeople plots across the region under options C and D as being arbitrary, not supported by evidence and unsustainable; and*
- (f) requests SEERA to closely examine the information presented by the Guild of Travelling Showmen to support the provision for 42 homeless families and take into account their needs in the distribution of provision.*

3.0 Relationship with the Council's Vision, Strategies and Policies

- (a) The report relates to the provision of high quality public services which are effective, efficient and responsive to the needs of people within the Vale, opposing all prejudice and discrimination, protecting and improving our environment and improving the quality of life for all members of the community.
- (b) this report principally relates to the Local Development Framework Core Strategy.

4.0 Background

- 4.1 ODPM Circular 1/2006 was published two months before the submission of the South East Plan (SEP). It requires such plans to include a strategic review of needs and provision for gypsies and travellers. A partial review of the SEP was therefore needed. In December 2006 SEERA published a brief setting out the work required. This involved councils acting in partnership to develop two options for the distribution of pitches arising from Gypsy and Traveller Accommodation Assessments (GTAAs). A pitch can accommodate between two to five caravans. Option A would utilise the distribution arising from the GTAA and option B would develop an alternative distribution based on sustainability criteria. An officer working group under a Member steering group was set up to carry out this work for Oxfordshire.
- 4.2 The SEERA brief also required councils to: assess the need for transit provision for gypsies and travellers, supply information on existing provision for gypsies and travellers, assess the need for accommodation for travelling showpeople, advise on additional implementation and delivery issues and explain the involvement of stakeholders in the GTAA and subsequent work. The deadline for responses was October 15th 2007. The response of this Council was agreed at a meeting of the Executive on 5th October 2007.
- 4.3 Now that SEERA has considered and audited the submissions it is carrying out a public consultation on a draft Preferred Options document and a Sustainability Appraisal. The results of this consultation will be considered by SEERA before producing a draft Partial Review document and Sustainability Appraisal which will be submitted to Government in April 2009. Formal objections can be made to the submission document. There will be an Examination to consider any objections and the publication of a report which the Government will publish proposed changes to the draft partial review. There will be an opportunity to comment on their changes. There

will therefore be a number of opportunities to make further inputs to the process. It should be noted that while that process is operating this Council will also have to consider the issue of gypsy and traveller accommodation as part of the Local Development Framework.

- 4.4 The partial review is based on Gypsy and Traveller Accommodation Assessments (GTAA) as required by the 2004 Housing Act. A GTAA for the ACTVaR area, including the Vale, was prepared in September 2006 prior to the publication of the SEERA brief. The ACTVaR GTAA concluded that the overall need for Oxfordshire was 58 pitches for the period 2006-2011. A distribution based on current provision led to a suggested provision of 2 pitches for the period 2006-2011 in the Vale. South Oxfordshire by contrast had a suggested provision of 28 pitches. Work to extend the GTAA figure to 2016 led to an overall suggested provision of 98 pitches in Oxfordshire for the period 2006-2016.
- 4.5 During the preparation of the response to SEERA the Government produced revised guidance on the conduct of GTAA's in March 2007. This led to a need to benchmark any studies which had already been undertaken to ensure uniformity. The benchmarking process led to concerns being expressed regarding some of the assumptions and approaches used in the ACTVaR GTAA. Following detailed examination of the GTAA a significantly revised figure for Oxfordshire of 42 pitches for 2006-2016 was calculated and this was the basis of the submission to SEERA.
- 4.6 As set out above SEERA required two options to be suggested for the distribution of pitches between the five districts. Option A was to be on the basis of the ACTVaR distribution and option B was to be on the basis of a sustainable distribution. Distribution of the 42 pitches according to option A resulted in the Vale needing one new pitch but would lead to a requirement for 17 pitches in South Oxfordshire. However, given the small size of the predicted need and the requirement in Government guidance that each district should make some provision, it was recommended by officers that the total should be divided as evenly as possible between the districts for option B on a basis of shared responsibility and this was accepted by the majority of the Member Steering Group. The SEERA brief makes provision for councils to suggest alternatives to the option B distribution. This left the Vale with a suggested requirement of 8 pitches to 2016 under option B which would amount to one new site. It should be noted that Oxfordshire Gypsy and Traveller Services advised that expanding any of the Vale sites by 8 pitches would lead to an unmanageable site. The distribution of pitches suggested to SEERA for Oxfordshire is set out in the following table.

Submitted Distribution of Pitches in Oxfordshire 2006-2016

District	Option A	Option B
<i>Cherwell</i>	<i>11</i>	<i>8</i>
<i>Oxford City</i>	<i>0</i>	<i>8</i>
<i>South Oxfordshire</i>	<i>17</i>	<i>9</i>
<i>Vale of White Horse</i>	<i>1</i>	<i>8</i>
<i>West Oxfordshire</i>	<i>13</i>	<i>9</i>
<i>Oxfordshire Total</i>	<i>42</i>	<i>42</i>

- 4.7 SEERA also required the response to be prepared in consultation with stakeholders and the gypsy and traveller community. A consultation exercise was therefore undertaken about where new sites should be provided in July 2007 involving the

distribution of a questionnaire and the results were submitted to SEERA.

5.0 Current Consultation

- 5.1 The SEERA consultation includes four options for distribution of the pitches needed in the South East. SEERA has accepted the revised figure of 42 pitches in Oxfordshire as a basis for consultation and options A and B are the figures suggested by the Oxfordshire councils in 2007. Other Councils in the South east have suggested that because of changes in the demand for sites in their areas the overall requirement should be distributed more evenly across the region to avoid them having more sites than they need. The following table shows the implications of the four options for the Councils in Oxfordshire.

Proposed Distribution of Pitches in Oxfordshire 2006-2016

District	Option A	Option B	Option C	Option D
<i>Cherwell</i>	<i>11</i>	<i>8</i>	<i>25</i>	<i>16</i>
<i>Oxford City</i>	<i>0</i>	<i>8</i>	<i>9</i>	<i>8</i>
<i>South Oxfordshire</i>	<i>17</i>	<i>9</i>	<i>14</i>	<i>12</i>
<i>Vale of White Horse</i>	<i>1</i>	<i>8</i>	<i>19</i>	<i>14</i>
<i>West Oxfordshire</i>	<i>13</i>	<i>9</i>	<i>21</i>	<i>15</i>
<i>Oxfordshire Total</i>	<i>42</i>	<i>42</i>	<i>88</i>	<i>65</i>

- 5.2 Option A is the distribution most closely related to the current distribution of sites and option B is the redistribution of Oxfordshire need within the county on a more equal basis. Options C and D have been generated by redistributing pitches on the basis of environmental constraints and population (as a proxy for where infrastructure and services are concentrated). Under option C 50% of the overall need in the south east is spread across the region to ensure that all areas include some provision. This would result in the Vale needing to provide 19 pitches which would amount to two new sites. Under option C 25% of the overall need would be redistributed across the region so that the remaining 75% majority would still be distributed according to current distribution. This would result in the Vale needing to provide 14 pitches which could possibly be accommodated on one site.
- 5.3 The foundation for the review is the information provided by the GTAAs. These set out the need based on the responses from the gypsy and traveller communities in an area. Options C and D appear to act against the role of the GTAAs in that they seek to redistribute need which has been proven for one area to another on an entirely different basis. Although the consultation document refers to options C and D as having been generated by reference to “the availability of land without major environmental constraints and availability of opportunities such as jobs” no evidence has been published to show how this has been done. Without that evidence the justification for ignoring the outcome of GTAAs, which have assessed need on an agreed basis, is lacking. Further, the sustainability appraisal concludes that option A results in wide ranging benefits whereas strong conclusions could not be drawn regarding options B, C & D due to lack of evidence. Option B though does relate to the GTAA for Oxfordshire. Options C and D therefore cannot be supported as they do not relate to the need in Oxfordshire as demonstrated in the GTAA.

Transit sites

- 5.4 Beyond the provision of sites for longer term occupation Circular 01/2006 also requires regional plans to set out district level allocations for transit spaces. In common with other authorities this Council has responded that this should be a matter for SEERA. (The consultation document asks whether the SE Plan should indicate a general level of need for groups of councils from available evidence and delegate final determination of need and location to those councils in consultation with Gypsy and Traveller groups. The consultation suggests a general level of need for 17 transit pitches for Oxfordshire based on Communities and Local Government caravan counts. If combined with any new permanent provision the provision of 3 to 4 pitches in the five districts would not be onerous. The suggested general level of need and the delegation of distribution to county groups are therefore considered to be acceptable. However, the suggestion for the provision to be distributed within counties by constituent Councils should be clarified regarding whether historic incidents of illegal encampments should be the basis of distribution. Also SEERA should be requested to indicate how the translation of transitory encampments into need for new sites in the GTAA is taken into account as there appears to be a risk of double counting.

Travelling show people

- 5.5 The ACTVaR GTAA did not include any appraisal of the requirements of travelling showpeople but Government guidance was revised to give them the same status as gypsies and travellers. The SEERA brief therefore required there to be a figure based on a consultation of travelling showpeople. A needs assessment for travelling showpeople has been undertaken for Oxfordshire and the consultants report is now being finalised. This report will have to be considered at a future meeting and information on potential need submitted to SEERA.
- 5.6 The SEERA consultation sets out four options for the distribution of plots for travelling show people across the region. Plots for travelling showpeople accommodate a family and their equipment. Option A distributes 234 plots on the basis of needs arising in the region, option B distributes 42 plots for families in need as identified by the Showman's Guild and options C and D redistribute regional need across the region on the same basis as that used for the Gypsy and Traveller options C and D. The implications for Oxfordshire are set out in a table below:

Distribution of Plots for Travelling Showpeople 2006-2016

District	Option A	Option B	Option C	Option D
<i>Cherwell</i>	<i>2</i>	<i>2</i>	<i>8</i>	<i>5</i>
<i>Oxford City</i>	<i>0</i>	<i>0</i>	<i>1</i>	<i>1</i>
<i>South Oxfordshire</i>	<i>3</i>	<i>2</i>	<i>4</i>	<i>4</i>
<i>Vale of White Horse</i>	<i>0</i>	<i>1</i>	<i>5</i>	<i>3</i>
<i>West Oxfordshire</i>	<i>2</i>	<i>1</i>	<i>6</i>	<i>5</i>
<i>Oxfordshire Total</i>	<i>7</i>	<i>6</i>	<i>24</i>	<i>18</i>

- 5.7 As can be seen above the implications for the Vale arising from the first two options are minimal and would not be difficult to accommodate. However, the implications of C and D are more significant. Currently the Vale has one travelling showpeople plot near Drayton. Options C and D would therefore represent sharp increases unrelated to the current provision. As with options C and D for gypsies and travellers the suggested redistribution of travelling showpeople provision could potentially contradict the wishes

of that community and the conclusions on the sustainability of the options are similarly negative. It is therefore considered that options A and B would be acceptable for the Vale but options C and D would not.

- 5.8 As mentioned above a study to establish the need for travelling showpeople plot provision in Oxfordshire has been undertaken. SEERA should therefore be requested to take its findings into account once it is finalised. Although at a draft stage the report notes that of the 49 addresses supplied by the Showman's Guild seven of those on the list had moved away, died or were elderly and confused. Information from the Guild must therefore be checked thoroughly before being accepted. This point should be made to SEERA. Also, the opinions of the 42 homeless Showpeople on where they would like to locate should be taken into account rather than arbitrarily locating them across the region.

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Background Papers:-

The South East Plan

Gypsy and Traveller Accommodation Needs Assessment for the Thames Valley Region (September 2005)

ODPM Circular 1/2006 Planning for Gypsy and Traveller Caravan Sites (February 2006)

Preparing Regional Spatial Strategy Reviews on Gypsies and Travellers by Regional Planning Bodies (March 2007)