

Subject:	Government Consultation on Proposed Replacement Planning Guidance for planning for Gypsies, Travellers and Travelling Showpeople		
Date of Meeting:	3 November 2011		
Report of:	Strategic Director, Place		
Contact Officer:	Name:	Sandra Rogers	Tel: 29-2502
	Email:	sandra.rogers@brighton-hove.gov.uk	
Key Decision:	No		
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report seeks approval and endorsement of the council's response to the recent Government consultation to replace current national planning policy guidance for Gypsies and Travellers and Travelling Showpeople in Circulars 1/2006 and 4/2007. The consultation proposes withdrawing these existing Circulars and replacing with a new Planning Policy Statement and is entitled 'Planning for Traveller Sites'.
- 1.2 The response was sent on 3 August 2011 in order to meet the consultation deadline but remains subject to approval and endorsement at this Cabinet Member Meeting.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Planning, Employment, Economy & Regeneration approves and endorses the council's response to the Government's consultation on Proposed Replacement Planning Guidance 'Planning for Traveller Sites' (see Appendix A).

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Earlier this year, the Government's Department for Communities and Local Government published a consultation paper entitled 'Planning for traveller sites'. The consultation seeks views on the government's proposals to withdraw current Planning Circulars 1/2006: Planning for Gypsy and Traveller Sites and 4/2007: Planning for Travelling Showpeople and replace with a new single Planning Policy Statement 'Planning for Traveller Sites'. The current circulars are used by Local Planning Authorities, the Planning Inspectorate and the Secretary of State for CLG to guide planning policies for traveller sites and to make decisions about planning applications for traveller sites.

- 3.2 The Government believes these circulars are becoming outdated due to the Government's broader changes to the Planning System. The policy in the proposed new statement on traveller sites will eventually be put into the National Planning Policy Framework.
- 3.3 The main policy objective set out in the proposed new statement is fair and effective provision of authorised sites for Gypsies and Travellers to facilitate the traditional and nomadic way of life of these groups whilst respecting the interests of the settled community.
- 3.4 The aims of the new policy statement are to:
- Enable local authorities to make their own assessment of the need for site provision and to set their own targets;
 - Encourage local authorities to plan for sites over a reasonable timescale;
 - Protect the Green Belt from development;
 - Reduce tensions between settled and traveller communities in the planning system;
 - Ensure that local planning authorities develop fair and effective strategies to meet need through the identification of sites;
 - Reduce the number of unauthorised encampments and make enforcement more effective;
 - Ensure that development plans include fair, realistic and inclusive policies;
 - Increase the number of traveller sites in appropriate locations to address under provision and maintain an appropriate level of supply;
 - Enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure.
- 3.5 There are 13 key questions on which the Government seeks views on its proposed new policy. These are set out in full at Appendix A with the proposed council response.
- 3.6 The proposed response advises that the council is generally supportive of the Government's key policy aims as set out above. However, there are a number of concerns with some aspects of the proposed new policy statement:
- In terms of the policy requirement to undertake an assessment of the need for site provision the new policy simply refers to the need for a 'robust evidence base'. Previously, local planning authorities were required to undertake a detailed Gypsy and Traveller Accommodation Assessment (GTAA). The council agrees that a sound evidence base should be required but suggests that the policy statement should identify specific examples of what this might constitute and that further clarification is given through best practice guidance to ensure consistency across local authorities. Replacement guidance should be realistic, practical and equitable across local authorities (Question 2).
 - Where need is identified, local planning authorities will be required to set targets for site provision in their local plans. The council's response notes that targets for housing reflect 'capacity' more than meeting the full extent of demand or need for housing particularly in locations where there are significant physical and environmental constraints as in Brighton & Hove. Therefore it is suggested that planned targets for traveller site provision

should be subject to the same considerations so that a deliverable level of need/demand is planned for (Question 4).

- The new policy statement proposes that local planning authorities be required to plan for a five-year supply of traveller sites in the same way that they are required to plan for a five year supply of land for general housing development. Unlike general market housing where commercial providers deliver new homes because it is their business, there are no such active agents in the provision of Gypsy and Traveller sites. The council's response is therefore to suggest that site provision should be more closely aligned with a robust assessment of need over the plan period. It also notes that a five year supply requirement is not a specific requirement for any other group within the community with a specific accommodation need (Question 5).

3.7 Full details of the comments made in response to the 13 Consultation Questions are set out at Appendix A.

3.8 It would normally be the intention of officers to ensure that any formal responses to government consultations are endorsed by the relevant Cabinet member meeting. Due to the timing of the release of the consultation, the short timeframe for considering the proposed changes, consulting internally and the lead in time for the Cabinet member meetings over the summer this was regrettably not the case with this consultation.

4. CONSULTATION

4.1 Internal consultation has been undertaken between the council's Planning Strategy, Traveller Liaison and Housing Strategy Teams in terms of drafting responses to the 13 Consultation Questions.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 The cost of preparing the council's response consists of officer time and has been met from existing Planning revenue budgets. The costs of future site provision are likely to be met through grant funding.

Finance Officer Consulted: Karen Brookshaw Date: 15/08/11

Legal Implications:

5.2 No direct legal implications arise from the Report. However, once adopted as Government Policy the Planning Policy Statement "Planning for Traveller Sites" should be taken into account by local planning authorities in the preparation of development plans and in the determination of relevant planning applications.

Lawyer Consulted: Hilary Woodward Date: 02/09/11

Equalities Implications:

- 5.3 The Government's consultation document and the council's response take into account equalities issues. The main policy objective set out in the proposed new statement is fair and effective provision of authorised sites for Gypsies and Travellers to facilitate the traditional and nomadic way of life of these groups whilst respecting the interests of the settled community. An Equality Impact Assessment has been published to accompany the Consultation Document.

Sustainability Implications:

- 5.4 Sustainability considerations are central to the planning system and form part of the response.

Crime & Disorder Implications:

- 5.5 Appropriate site provision for Gypsies and Travellers will help to reduce the incidence of illegal encampments in and around the City.

Risk and Opportunity Management Implications:

- 5.6 None identified.

Corporate / Citywide Implications:

- 5.7 The council's response highlights the main impacts of the proposed new policy statement and accords with the Council's Traveller Strategy.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The government has published an Impact Assessment (Annex B of the Consultation Document) which sets out the likely costs and benefits of policy options considered. In preparing the proposed new policy statement, three policy options were considered: 1) Do nothing, 2) withdraw the circulars and 3) withdraw circulars and replace with a new single Planning Policy Statement. Option 3 is preferred.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To gain formal approval and endorsement of the council's response to the Government consultation on proposed replacement policy guidance for planning for Gypsy and Traveller Sites. The response has been sent in order to meet the consultation deadline of 3 August 2011. This was on the understanding that formal approval would be sought at Cabinet Member Meeting.

SUPPORTING DOCUMENTATION

Appendices:

1. Response to Consultation Questions re. CLG Consultation on withdrawal and replacement of Circulars 1/2006 and 4/2007 with a new Planning Policy Statement 'Planning for Traveller Sites'.

Documents in Members' Rooms

None.

Background Documents

1. CLG Planning for Traveller Sites – Consultation April 2011
2. Circular 1/2006: Planning for Gypsy and Traveller Caravan Sites.
3. Circular 4/2007: Planning for Travelling Showpeople

