

ITEM NO 4

COMMUNITY SERVICES COMMITTEE

31 October 2012

Dorset-wide Gypsy, Traveller and Travelling Showpeople Site Allocations Joint Development Plan Document: Report on the outcome of Issues & Options public consultation and identification of next stages in process

1. PURPOSE AND RECOMMENDATIONS

Purpose of Report: To note the Consultation Report produced following the public consultation exercise in respect of the Issues and Options stage of the above Development Plan Document (DPD) and to seek endorsement for the next sequence of stages in progressing the preparation of this DPD.

Recommendations: **It is RECOMMENDED that:**
Members are asked:

- (1) To note the Consultation Report into the Issues and Options Consultation and the Site Options Consultation carried out earlier this year in connection with the preparation of the Dorset-Wide Gypsy, Traveller and Travelling Showpeople Site Allocations Joint Development Plan Document;
- (2) To recommend that an updated Needs Assessment in Dorset is progressed as quickly as possible;
- (3) To recommend the need for a further consultation on new and additional sites identified, once the initial site analysis has been carried out and subsequent to the new Needs Assessment being completed.

Lead Members: Cllr Margaret Phipps

Contact Officer: Julia Mitchell

2. BACKGROUND

- 2.1. At the meeting of this Council on 18 October 2011, Members agreed to endorse the public consultation exercise in respect of the Issues and Options Consultation Document and the accompanying Site Options Summary and Response Form of the Dorset-wide Gypsy, Traveller and Travelling Show People Site Allocations Development Plan Document (DPD).
- 2.2. Between mid-November 2011 and early February 2012 the Dorset councils consulted on a range of potential sites for both permanent and transit pitches across Dorset. Some of the sites were on privately owned land and some on publicly owned land. The consultation prompted a huge response with nearly 10,000 individual responses and a further 6,400 signatures on a series of

ITEM NO 4

petitions. A Report has now been produced by the consultant Peter Brett Associates (formerly Baker Associates), who have been commissioned to advise the authorities, which analyses the responses to the consultation and sets out a series of recommendations to the commissioning councils regarding the future progress of the DPD.

- 2.3. It should be noted that the Report does not cover decisions made about the availability of sites, or any further representations, including petitions, which were made/received after the closing date of the consultation period. The report does not therefore refer to the decision of the Council's Resources Committee on 14 March 2012 which recommended that the Council's primary purpose for the land in its ownership at Grange Road should continue to be for employment use and for the economic benefit of the Council. However reference is made in the Consultation Report (page 35) to the landowner of the Hurn Court site stating that the site is not available for gypsy and traveller use as this was stated during the consultation period. The Report is attached as Appendix A to this Item.
- 2.4. Councillors and other interested parties have expressed concerns in the past with the assessment of needs that provides the evidence base for the number of pitches required. Much of the underlying information is now outdated and officers agree that it needs reviewing. Several respondents to the Consultation also suggested that a revision was required. The Government introduced new guidance on 'Planning policy for traveller sites' at the end of March this year which is read in conjunction with the National Planning Policy Framework. The new policy is a Background Paper to this report. One of the requirements of this national policy is 'that local planning authorities should make their own assessment of need for the purposes of planning.' Therefore there is an overriding requirement to re-assess the number of pitches needed within the area. This assessment will be in addition to the work parcels identified in the original contract with our consultants.
- 2.5. A joint committee provides a steer for this work, but each council needs to approve key stages of the work. At a meeting of the Joint Liaison Committee on 5th October 2012, the committee resolved:
 - (1) To accept the Consultation Report into the Issues and Options Consultation and the Site Options Consultation carried out earlier this year in connection with the preparation of the Dorset-Wide Gypsy, Traveller and Travelling Showpeople Site Allocations Joint Development Plan Document;
 - (2) To recommend the need to produce an updated Needs Assessment in Dorset, which shall be progressed as quickly as possible;
 - (3) To recommend to the Committees of the separate commissioning local authorities the need for a further consultation on new and additional sites identified, once the initial site analysis has been carried out and subsequent to the new Needs Assessment being completed;
 - (4) To recommend making available the necessary financial resources to carry out additional work not included in the original contract, subject to such work being tendered for; and

ITEM NO 4

(5) A Joint Press Release be issued to report on the progress of the Development Plan Document to date, the wording of which to be approved by members of the Liaison Committee prior to issue.

2.6 At the time of writing this report, the joint press release is in the process of being drafted and will be published before this committee.

3. Next Stages

3.1. The original budget to produce the DPD was £228,000. The bulk of this, some £164,000, was grant-funded from the Dorset Strategic Partnership and the South West Regional Improvement and Efficiency Partnership Innovation fund. This was a one-off payment.

3.2. The Consultation Report recommends that the revised needs assessment and that the alternative sites assessment and subsequent public consultation are carried out. In light of these new stages, a revised project timetable will be required and publicised in respect of the DPD's production. This additional work has budgetary implications for the commissioning councils. However this can be met out of existing budgets.

Revised Needs Assessment

3.3. The estimated cost to update the needs analysis is about £50,000 of which the individual councils would need to contribute up to £6,250 each. This cost includes the following activities:

- (1) Review of legislative changes since the last Needs Assessment was carried out;
- (2) Collection and interpretation of information held by the Dorset planning authorities regarding planning applications for gypsy and traveller pitches, informal requests for information, and enforcement cases;
- (3) Analysis of information held by Dorset County Council, Bournemouth and Poole Council's gypsy liaison service regarding unauthorised encampments across the whole County;
- (4) Consideration of information held by Ethnic Minority and Traveller Advice Service on needs and numbers;
- (5) Analysis of information from other Council departments, such as housing and benefits about changing gypsy and traveller needs, and from Housing Associations on the ethnic composition of tenants; and
- (6) Structured community engagement with the settled and travelling communities.

3.4. It may be possible for a significant portion of the information gathering from local authority sources to be carried out by officers on the DPD Officer Group, but the work associated with community engagement will need to be carried out by independent consultants specialising in this field to ensure the information collected is credible and sound, and will stand up to examination when the DPD comes before an Inspector. If this split of work can be agreed, then it is likely that the total figure for needs analysis would be reduced from the initial estimate of £50,000.

ITEM NO 4

Additional consultation stage

- 3.5. The consultation was helpful in that it produced some new suggestions for potential sites. Approximately 200 additional sites have been put forward by the public and others for consideration in response to the consultation across Dorset. These will have to be assessed against the previously agreed criteria to ensure they are being considered under the same basis as the earlier sites and, in particular, care will be taken to ensure the owners of the sites are aware of the proposals. If, following this assessment, it is considered that any of the new proposed sites present the potential for serious consideration, they would form part of a further round of public consultation. This would be an additional stage in the production of the Development Plan Document that was not considered in the original contract with our consultants.
- 3.6. At the present time the sites suggested by representors as part of the Issues and Options consultation exercise are being subjected to a desk top study assessing them against the Stage 1 criteria that were applied to sites during the preparation of the Issues and Options document. This will in effect ensure that sites that have no potential will be filtered out prior to being named in public, thereby avoiding unnecessary anxiety and potential blight issues especially when an updated needs assessment has not yet determined the number of pitches/sites that will be required. Such a process was undertaken prior to naming any sites in the Issues and Options document, therefore a consistent approach is being adopted. When consulting on new and additional sites those sites that have been rejected will be listed with reasons why they have been rejected, as was the case during the first consultation exercise.
- 3.7. The estimated cost for an additional round of consultation is about £40,000. The contribution from each individual council would be £5,000. This cost would be for preparing the consultation document, printing and distributing it across the County, and holding a number of public consultation events across the districts. The estimate of cost is currently based on experience of the previous consultation where issues about the content of the DPD were also up for discussion. A possible strategy might be to target this further round of consultation only on a newly agreed list of proposed sites. This approach would considerably reduce costs compared with the original consultation.

4. IMPLICATIONS

Corporate Plan & Council Objectives

- 4.1. The Gypsy & Traveller Site Allocations DPD will have an impact on the objectives of the Corporate Plan, in particular H1: Develop new planning and housing policies to increase the supply of high quality sustainable housing development and C4: Improve life chances for vulnerable people.

Legal

- 4.2. Once adopted the DPD will form part of the statutory Development Plan for Christchurch. Police can only use their powers to evict unauthorised encampments to a transit site if there is such a site provided in the area. Planning authorities should have regard to Human Rights considerations as part of the decision making.

ITEM NO 4

Environmental

- 4.3. Sustainability issues are an important consideration for the selection of suitable sites and the impact of unauthorised encampments. The DPD process has been subject to Sustainability Appraisal, incorporating the requirements of the SEA regulations.

Financial and Risk

- 4.4. The work carried out to date is within the budget but additional financial contributions from the District, Borough and Unitary Councils will be required to fund the updated Needs Assessment and undertake the additional alternative sites consultation. These costs can be met within the existing local planning budgets.

Equalities

- 4.5. The gypsy and traveller communities are recognised ethnic groups. Providing for their needs is a duty of this Council. Equalities and health impacts of the DPD proposals will be assessed as part of the Sustainability Appraisal process.

5. CONCLUSION

- 5.1. It is clear from national policy in “Planning Policy for Traveller Sites” published in March 2012 that there remains a commitment from central government for local planning authorities to provide Gypsy and Traveller sites through the planning system. This new national policy requires planning authorities to re-consider the accommodation needs assessments for travellers in their areas and to work together to develop effective strategies to meet need through the identification of land for sites. Therefore it is important that Members agree to progress the work programme as recommended.

Background Papers:

Department for Communities and Local Government – Planning Policy for Traveller Sites, March 2012