

Agenda Item:

County Council

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Dorset County Council



Date of Meeting	26 April 2012
Officer	Chief Executive and the Director for Environment
Subject of Report	Procedure for Petitions - Petition regarding proposed Gypsy and Travellers Transit Site at Uddens Forest
Executive Summary	<p>A petition has been received (in accordance with the County Council's published petitions scheme) in relation to a proposed Gypsy and Traveller Transit Site at Uddens Forest, Stapehill.</p> <p>The scheme provides that any petitions that are supported by 1,000 or more signatories shall be scheduled for a debate at the next meeting of the full County Council and that the petitioner shall be given an opportunity to speak to the meeting as a deputation.</p> <p>It is for the Council to decide how to respond to the petition at this meeting.</p>
Impact Assessment:	<p>Equalities Impact Assessment: Gypsies and Irish Travellers are ethnic minorities and meet the definition of people of a protected characteristic in the Equality Act 2010. Under this legislation the County Council has a duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people who share protected characteristics and those who do not. The County Council must, therefore, bear in mind these duties when deciding how to respond to this petition.</p>
	<p>Use of Evidence: This report draws on evidence of patterns of unauthorised camping, refers to the Dorset-wide Gypsy and Traveller Joint Development Plan, Issues and Options Consultation Document and the Government's recently published Planning Policy for Traveller sites.</p>

	Budget/ Risk Assessment: The County Council has been offered £1.75m (subject to contract) by the Homes and Communities Agency to deliver a total of 25 Traveller pitches.
Recommendation	The County Council is invited to decide how to respond to this petition.
Reason for recommendation	In order to comply with the County Council's published scheme for responding to petitions and so as to enable local people to connect with local elected decision makers.
Appendices	None
Background Papers	<ul style="list-style-type: none"> • Dorset County Council Petitions Scheme • Planning Policy for Traveller Sites, March 2012 – Department for Communities and Local Government • Correspondence from the Homes and Communities Agency offering funding • Dorset-wide Gypsy and Traveller Development Plan, Issues and Options Consultation Document
Report Originator and Contact	<p>Name: Dave Ayre Tel: 01305 224257 Email: d.n.ayre@dorsetcc.gov.uk</p>

1. Background to the Petitions Scheme

- 1.1 The County Council's Petitions Scheme was introduced to meet the requirements of the Local Democracy Economic Development and Construction Act 2009. The legal position has changed with the new provisions of the Localism Act 2011 and there is no longer a compulsion to have such a scheme. However, the Standards Committee is recommending to the County Council that our scheme has worked well and should not be immediately withdrawn. A review in Autumn 2013 is proposed to coincide with the e-petitions contract expiry. The current scheme is supported as a means of enabling engagement with local communities about their concerns.
- 1.2 Under the scheme, if a petition contains more than 1,000 signatures, it will be debated by the full Council. The petition organiser will be given ten minutes to present the petition as a deputation at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes.
- 1.3 Where the issue is one on which the Cabinet is required to make the final decision, the Council may decide whether to make recommendations to inform that decision.

2. Petition – Proposed Gypsy and Travellers Transit Site at Uddens Forest

- 2.1 The County Council received a petition containing 6,086 signatures organised by the Friends of Uddens and Cannon Hill Woodlands on 10 April 2012. This reads as follows:-

“We, the undersigned, strongly object to the proposal for a Transit Gypsy and Travellers Site being built in Uddens Forest, Stapehill.

We petition Dorset County Council to spend the £1.75m that it has been awarded by the Homes and Communities Government Agency, for Uddens site, be instead spent on a more suitable site elsewhere in Dorset.

The site in Uddens Forest Stapehill is NOT suitable because:-

1. It is in the Green Belt.
2. It is on/close to the Castleman Trailway.
3. It provides a recreational area for scores of dog walkers, horse riders and families.
4. If these people and animals are displaced then it could be in conflict with the aspirations of the Heathland Mitigation DPD as those displaced are forced onto our fragile heathlands at Holt and Ferndown.
5. It is a 'Green Lung' for local people with extensive protected species of fauna and flora.
6. There are NO local services without driving to Ferndown or Wimborne.
7. Local schools are full.
8. It has poor access from the highway with no alternate access and egress in a case of forest fire.

Petitioners therefore request that Dorset County Council agree not to use the Government funding they have received for a Gypsy and Traveller Site at Uddens Forest at Stapehill and instead use the money to fund a more suitable site elsewhere in Dorset.”

- 2.2 As this petition contains more than 1,000 signatures, the County Council is required to discuss this for a maximum of 15 minutes in accordance with the Petitions Scheme.
- 2.3 This debate should conclude with a decision as to how to respond to the petition. This may include:
- taking the action requested in the petition
 - holding an inquiry into the matter
 - undertaking research into the matter
 - holding a public meeting
 - holding a consultation
 - holding a meeting with petitioners
 - referring the petition for consideration by the council's audit and scrutiny committee
 - calling a referendum
 - writing to the petition organiser setting out our views about the request in the petition

3. **Context**

- 3.1 The County Council has a long-standing policy to establish more authorised sites for Gypsies and Travellers in order better to manage unauthorised camping. The provision of authorised sites triggers additional Police powers under Section 62A of The Criminal Justice and Public Order Act. Where a suitable site is available the Police can direct unauthorised campers to this site. Failure to obey such a direction would be an offence as would any further attempt to establish an unauthorised encampment within a subsequent 3 month period within the area of the County Council. These powers are used for approximately 2 weeks every year within Dorset when a Gypsy and Traveller transit site is opened by the County Council in the run-up to, and during, the Great Dorset Steam Fair. The establishment of this site results in a substantial reduction in the level of unauthorised camping. For example, the numbers of unauthorised encampments during the summer of 2011 reduced from 19 to 11 following the opening of the Great Dorset Steam Fair transit site.
- 3.2 A Member Policy Development Panel was established to help to implement the County Council's policy and its Terms of Reference were:-
- “To identify locations for emergency stopping places, temporary sites and transit sites for Gypsies and Travellers moving within or through Dorset.”
- The Panel considered a number of potential locations, including land at Uddens Forest put forward by the Forestry Commission who also suffer from unauthorised camping on their land. On the 7 June 2006 the County Council's Cabinet agreed that officers should continue to investigate several sites that had been visited by the Member Panel, including the Uddens site.
- 3.3 Shortly after the last General Election the Coalition Government suspended the funding programme for the provision of new Gypsy and Traveller sites. Investigative work by officers on the Uddens site was, therefore, suspended. In early 2011 the funding programme was reinstated and Local Authorities and Registered Social Landlords were invited to submit Expressions of Interest for a funding programme from 2011/2015 within a very short timescale. Officers of the County Council submitted an Expression of Interest

based upon the development of the Uddens site in support of the County Council's previously stated policies.

- 3.4 In early January 2012 the Minister announced funding awards under the Gypsy and Traveller Sites Programme. £1.75m was awarded to the County Council, subject to contract. Although the Expression of Interest was based upon developing the Uddens site the award of funding is not site specific and officers of the Homes and Communities Agency have confirmed that it can be used to fund a more suitable site should this become available. The conditions of the grant award are that planning permission be granted.
- 3.5 In the meantime, all Dorset Councils, including Bournemouth and Poole, have been working together on a Joint Gypsy and Traveller Sites Development Plan Document for the Dorset Sub-Region and have jointly commissioned planning consultants, Baker Associates, to carry out the work. The first stage in the preparation of the Joint Development Plan Document was the publication of an Issues and Options Document which was subject to public consultation between the 18 November 2011 and the 10 February 2012. It should be noted that the Districts, Boroughs and Unitary Councils in Dorset are the Authorities which will determine which sites they would prefer to see for their area within the Development Plan Document. The site at Uddens was included in the Consultation Document as a Green Belt site for possible further investigation. All of the sites within the East Dorset District Council area are in Green Belt.
- 3.6 The County Council is a consultee in this process and considered its response to the consultation at the meeting of the Environment Overview Committee of the 12 January 2012 and the Cabinet on the 1 February 2012. Both Committees received representations and, in relation to the Uddens site, it was agreed that the County Council would support inclusion of the site for further investigation.
- 3.7 The responses to the consultation on the Issues and Options Report are, at the time of writing, still being processed by the consultants. However, some responses to the consultation have made suggestions for alternative sites. These will, however, need to be assessed against the criteria that were applied to the original list of sites that were subject to consultation in the Issues and Options Report and it is likely that, should there be sufficient alternative sites, there will be a further alternative sites consultation. The outcomes of these consultations will be reported to the District, Borough and Unitary Councils and they will decide which sites they would prefer to see in the Development Plan Document for their area. It will be at this point that East Dorset District Council will be able to decide whether a more suitable site than that at Uddens will have emerged from the consultation. It is, therefore, too early at this stage of the process to establish whether a more suitable site than that at Uddens will come forward.
- 3.8 On the 26 March 2012 the Government published its new Planning Policy for Traveller Sites following a consultation held last year. Policy E of the document refers to Traveller sites in Green Belt and is as follows:-
 - “14. Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development.

15. Green Belt boundaries should be altered only in exceptional circumstances. If a local planning authority wishes to make an exceptional limited alteration to the defined Green belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application. If land is removed from the Green belt in this way, it should be specifically allocated in the development plan as a traveller site only.”
- 3.9 The County Council has decided that the Uddens site be the subject of further investigation. It has not yet made a decision to develop the site and apply for planning permission. At the meeting of Environment Overview Committee in January officers advised that a decision on the development of a transit site using the Homes and Communities Agency funding award should be delayed until the District, Borough and Unitary Councils (and, in the case of Uddens, East Dorset District Council) have decided which sites they would prefer to see in their Development Plan Document. The timing of this decision has yet to be finalised but it is unlikely to be made before the end of 2012 or early 2013.

David Jenkins
Chief Executive

Miles Butler
Director for Environment

April 2012