

Regional Spatial Strategy Single Issue Review

PLANNING FOR GYPSY AND TRAVELLER ACCOMMODATION IN THE EAST OF ENGLAND



Examination in Public
October 2008

Report of the Panel
December 2008

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LOCAL AUTHORITIES IN THE EAST OF ENGLAND

County and Unitary/District Authority boundaries



1 INTRODUCTION

Matters 1A and 1B

This chapter identifies the regional characteristics and policy framework within which the draft Policy on Gypsy and Traveller accommodation has been prepared. We assess the soundness of the draft Policy, and recommend an expansion of the definition of Gypsies and Travellers in the Policy footnote.

CONTEXT

- 1.1 Gypsy and Traveller accommodation is a relatively new subject for the regional planning process, and even more recent for Travelling Showpeople. The East of England Regional Assembly (EERA) embraced its new responsibilities early, and information for the region was used as a pilot in a national research study¹ to assist Regional Planning Bodies (RPB).
- 1.2 This region starts from a historic under-provision of authorised sites. This has implications for the health and well-being of these communities. Several Gypsy and Traveller representatives, while criticising some of the detail, accepted the draft Policy as an important first step on the way to mainstreaming their needs into overall housing provision.
- 1.3 Techniques for assessing Gypsy and Traveller accommodation needs are in their infancy and there are undoubtedly some deficiencies in the data sources on which they rely. To our mind however this is not an excuse for delaying the consideration of these important issues. A strong regional framework through Regional Spatial Strategy (RSS) will provide a coordinated basis on which local authorities can prepare their Local Development Frameworks (LDF) and determine planning applications. Our role through this Examination in Public (EiP) process has been to try to identify the best available evidence and to use our professional judgement to recommend how it should inform policy.

Regional characteristics

- 1.4 The East of England has the largest number of Gypsy and Traveller caravans of any English region, representing 25% of the total recorded in England in the January 2007 Caravan Count. It has experienced higher than national growth rates in the last 30 or so years, with very rapid growth in the number of private sites². Given the static or falling levels of publicly provided sites, recent Government policy has been to encourage Gypsies and Travellers to provide sites for themselves, and this has resulted in high rates of growth in private sites. Difficulties in acquiring land in areas compatible with planning policy has led to relatively high levels of unauthorised developments in this region, i.e. where caravans are on Gypsy and Traveller owned land which does not have the benefit of a permanent planning permission. This has led some Gypsy and Traveller groups to blame a failure in the planning system.
- 1.5 There are of course other planning challenges being faced in this region, including high housing delivery targets both for market and affordable housing, leading to an identified need for selective Green Belt reviews in the south of the region and around Luton. In

¹ Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies, CLG in partnership with GO-East and EERA/SEERA/SWRA, March 07 (CD2.1)

² Temporary Consultancy for Various Advice on Gypsy and Traveller Matters, Interim Report, page 19, Pat Niner, Centre for Urban and Regional Studies, University of Birmingham for EERA, 28 August 2007 (CD4.1)

environmental terms, it has large areas at risk of flooding in the Fens, the Norfolk Broads, and the Thames Estuary area; areas of international nature conservation importance on the heathlands around Thetford and in some coastal areas; and Areas of Outstanding Natural Beauty (AONB) in the Chilterns and the estuaries and coastal areas of Norfolk and Suffolk. The region has a relatively dispersed settlement pattern with a large number of small to medium-sized settlements set within a more rural hinterland and a few well-spaced larger urban areas. The interface between these issues and the future provision for Gypsy and Traveller accommodation is explored in the rest of this report.

Existing policy framework

- 1.6 Circular 01/2006 sets out national policy on planning for Gypsy and Traveller caravan sites, including the role of RSS and the way it should be produced³. One of the main intentions of this national policy framework is "to increase significantly the number of Gypsy and Traveller sites in appropriate locations with planning permission in order to address under-provision over the next 3-5 years (para 12 c)). Circular 04/2007 provides the equivalent national policy on planning for Travelling Showpeople.
- 1.7 Policy H3 of the adopted East of England Plan, May 2008, signals the urgent need for improved Gypsy and Traveller provision across the region and an interim policy position pending this ongoing review. When the Policy which is the subject of this report is finalised, it will therefore become Policy H3 of the East of England Plan. However to avoid confusion we continue to refer to draft Policy H4, which was the most up-to-date numbering system in use⁴ when EERA submitted this RSS Single Issue Review (SIR) to the Secretary of State in February 2008.

Definitions

- 1.8 A footnote to draft Policy H4 contains a definition of Gypsies and Travellers which almost matches that in Circular 01/2006 (para 15), the relevant national guidance. Although this makes clear that it is the nomadic habit of life that is the defining characteristic of a Gypsy and Traveller, it does not add the qualification that this is not reliant upon a person's race or origin. Cambridgeshire CC and others considered this omission to be important. We agree that consistency with Circular 01/2006 is beneficial in this controversial area and we therefore recommend that this missing element of the definition is added for completeness, if the Secretary of State chooses to retain the definition in the final Policy.
- 1.9 The needs of Travelling Showpeople are not considered fully in draft Policy H4, partly because Circular 04/2007 was not published until August 2007 – well into the preparation of this review. We address this particularly in Chapter 6, including the usefulness of adding a definition of Travelling Showpeople if the policy framework is expanded to include provision for their accommodation needs as we there recommend.

Recommendation 1.1

Expand the definition of Gypsies and Travellers in the Policy footnote to make clear that it applies whatever the race or origin of such a person.

³ Circular 01/2006, Planning for Gypsy and Traveller Caravan Sites, paras 22-26, February 2006 (CD2.2)

⁴ Policy H4 refers to the draft East of England Plan as proposed to be changed by the Secretary of State, Further Proposed Changes, October 2007

SOUNDNESS

- 1.10 In testing the soundness of the draft Policy we used the issues raised by the soundness tests in PPS11, para 2.49 to inform our questioning at the Examination, rather than to structure our list of matters for debate.
- 1.11 Three of the soundness tests are of particular interest to this SIR. First with respect to the evidence base (test vi), the issue for us was as much about its use in informing the draft Policy as its robustness. Some parties argued for a much closer alignment between the primary source of evidence, namely the suite of Gypsy and Traveller Accommodation Needs Assessments (GTAAs), and the figure work in the Policy. However we are satisfied that EERA has taken a strategic view of this evidence and other factors at the regional level in putting forward the pitch distribution by district, as it is entitled to do.
- 1.12 Second we have satisfied ourselves that the preparation of the draft Policy has included sufficient community involvement (test vii). It was encouraging to hear praise from bodies such as the Equalities and Human Rights Commission and various Gypsy and Traveller representatives for the innovative work undertaken by EERA in reaching out to Gypsies and Travellers. There was also a normal public consultation exercise at the Issues and Options stage which attracted over 2,000 responses⁵.
- 1.13 Also of particular relevance is whether the preparation of the draft Policy has been subject to a satisfactory Sustainability Appraisal (SA) (test x). We are broadly content that the process undertaken has followed the stages set out in national guidance⁶, and GO-East confirmed that the process was sound in their opinion. Nevertheless we have considered points of detail in paras 3.3-3.6 of this report where there has been a lack of transparency in the audit trail between successive iterations of the SA which should be rectified at the next stage.
- 1.14 A Habitats Regulation Assessment screening report⁷ was also submitted with the submission draft Policy. This concluded that there were no likely significant effects on any wildlife sites of European or international importance. Natural England was satisfied that this work had been undertaken appropriately. Minor points arising are considered in paras 7.20-7.21.
- 1.15 As well as examining what is in submission draft Policy H4, we made it clear at the Preliminary Meeting that we would also be investigating what might have been expected to be in the RSS review as a result of national policy, taken to be both Circulars 01/2006 and 04/2007. We used the Data Meeting to understand the extent of evidence available on the needs for transit provision and provision for Travelling Showpeople, neither of which is included in the draft Policy. Some parties contended that it would be unsound for these elements to be included in the final Policy in that the evidence base was not robust, there had been no public consultation and there had been no SA of these elements. We were also reminded that the Panel is not a plan-making body. Nevertheless we are satisfied that the very full discussions held at the Examination debates on these two topics have enabled us to recommend ways in which these two elements can be included in the Policy. If Government is minded to accept our recommendations in their current or a modified form, then we are satisfied that there

⁵ Pre-submission Consultation Statement, EERA, February 2008 (CD1.6)

⁶ Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents, November 2005 ODPM (CD3.11)

⁷ Habitats Regulations Screening Assessment, EERA, February 08 (CD1.7)

is an opportunity for further SA work to be undertaken at the Proposed Changes stage, with the results being available for public consultation with the amended Policy.

1.16 In terms of the remaining soundness criteria⁸, we are satisfied that the draft Policy, with the adjustments that we recommend in this report:

- provides a spatial framework at an appropriate scale and does not descend to the site-specific level (tests i and ii);
- is broadly consistent with national planning policy (test iii);
- is compatible with the rest of the Regional Spatial Strategy of which it will form part, along with the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy. We note that EEDA considered that the wider distribution approach built into draft Policy H4 is consistent with the Regional Economic Strategy. Grant allocations made within the Regional Housing Strategy have also informed delivery assumptions for this Policy. See also our discussion on inter-regional implications, paras 2.25-29 (test iv);
- takes account of likely levels of grant funding and considers other delivery mechanisms. This includes spreading the risk of delayed implementation in any particular authority area, as discussed in paras 3.23-3.24. Monitoring indicators are also included (tests viii, ix and xii);
- has complied with proper procedures in its preparation, including EERA Member endorsement of key stages (test xi).

⁸ Internal consistency (test v) does not arise as this is a Single Issue Review

2 SCALE OF RESIDENTIAL PITCH PROVISION

Matters 1.1, 1.2, 1.3

This chapter tests the robustness of the background studies from which the regional estimate of accommodation needs has been derived. It assesses whether there are grounds to revise the regional provision level on the basis of any Gypsy and Traveller groups whose needs may have been underestimated or on the other hand of any elements that may have been overestimated. It then discusses over what period beyond 2011 and at what scale regional provision should be made, including the relationship to future GTAAs and how this should be expressed in the Policy.

EVOLUTION OF THE POLICY

- 2.1 Draft Policy H4 states that provision should be made for at least 1,187 net additional residential pitches over the period 2006-11. This would be an addition of some 66% to the estimated number of authorised pitches⁹ at January 2006.
- 2.2 This pitch requirement figure to 2011 is the product of summing the local needs components from the background work largely carried out at county or virtual county level. The initial source of work was a series of GTAAs which were published between 2005 and 2006 covering Hertfordshire (in two parts), Essex, Cambridgeshire, Bedfordshire and South Norfolk. The first four of these were carried out by different groups of academics, the fifth by a consultancy, and last by local authority officers. These all used interviews with a sample of Gypsies and Travellers and analysis of Caravan Count data, but varied in the extent of discussions with practitioners, Members and local interests, and the use of secondary data sources. There were also considerable differences in the components taken into account in assessing future needs, and the five year time period to which the needs assessment related. Other inconsistencies related to the information collected, questions asked, and the way any sample responses were grossed up.
- 2.3 The completion of these first six GTAAs coincided with the production of a methodology for use by RPBs in producing the scale and distribution of pitch requirements for inclusion in RSS¹⁰, termed in this report the Benchmarking Guidance. The East of England was used as a case study to test the benchmarking part of the resulting methodology (steps 2 and 3 of a six stage tool).
- 2.4 From this benchmarking exercise, two categories emerged:
 - GTAAs deemed to be robust, namely Cambridgeshire (covering the county and three adjacent districts in Suffolk and Norfolk), or acceptable, namely South Norfolk (albeit the figures were wrongly recorded in the report);
 - GTAAs not considered robust, namely three where needs were considered to be underestimated (Essex significantly so), and one considered to be overestimated.

⁹ Various local authorities sought to amend their base authorised figures at the time of the data meeting and during the EiP, as recorded in Chapter 4

¹⁰ Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies, CLG in partnership with GO-East and EERA/SEERA/SWRA, March 07 (CD2.1)

- A requirements formula derived from the best fit to a range of early GTAAAs considered to be robust¹¹ was therefore used instead for any area in the second category and for any district in Norfolk and Suffolk not covered by GTAAAs in the first category.
- 2.5 This produced a regional requirement of just less than 1,220 net additional residential pitches. This GTAA and formula-based distribution was later known as Option 1 at the Issues and Options consultation stage (see para 3.1).
- 2.6 Pitch requirements were reduced down to 1,187 in September 2007¹² as a result of three things:
- completion of three additional GTAAAs, two of which (Suffolk and Thurrock) were considered robust with the figures being substituted for the previous formula estimates. The previous estimates for Norfolk districts were largely retained¹³;
 - incorporation of three year average January Caravan Count data in the formula (January 2005, 2006 and 2007), rather than the use of January 2006 as previously;
 - a reduction in the Caravan Count base estimates for Chelmsford district.
- 2.7 Any differences between those at September 2007 and the final tabulation in draft Policy H4 relate to distributional issues, as discussed in Chapter 3, with the exception of the figure for South Norfolk where an increased requirement reflecting the District Council's interpretation of its GTAA results was finally substituted.

ROBUSTNESS OF REGIONAL ESTIMATE TO 2011

- 2.8 We have no reason to question the overall method used by EERA and its advisers as described above in benchmarking the GTAAAs produced from the bottom up. Whether there are systemic issues arising e.g. from deficiencies in data sources or working methods, that suggest that adjustments should be made to the pitch requirement total is discussed below.
- 2.9 The only alternative figure put forward was by Friends, Families and Travellers (FFT) who argued for 1,533 pitches as a better estimate. This came from three main sources: criticisms of individual GTAAAs, interviews that their representative had conducted in spring 2008 with practitioners and individual Gypsies and Travellers, and issues arising from appeal decisions. For the most part our comments on the local issues raised by FFT are given in Chapter 4 where we test the results of individual sub-regional GTAAAs against local indicators of need and other factors.

Assessment and benchmarking process

- 2.10 We accept that the first set of six GTAAAs was started and in some cases largely completed in advance of any national GTAA guidance which first appeared in February 2006. Conducting consistency checks between these GTAAAs albeit as a desk exercise, and the use of a requirements formula to fill gaps where GTAAAs were not deemed robust or in areas lacking coverage¹⁴, seems sensible. The benchmarking process applied to the second set of GTAAAs completed was carried out in a consistent manner.

¹¹ As explained in CD2.1. In the formula, pitch requirement for an area equals caravan numbers on unauthorised developments divided by an average 1.7 caravans/pitch plus 40% of caravan numbers on authorised sites also divided by 1.7. The formula has now been found to match closely an average of 35 other GTAAAs

¹² EERA Regional Planning Panel, item 2, meeting 27 September 2007 (CD1.15)

¹³ Temporary Consultancy for Various Advice on Gypsy and Traveller Matters, Interim Report, Pat Niner, Centre for Urban and Regional Studies, University of Birmingham for EERA, 28 August 2007 (CD4.1)

¹⁴ as explained by Pat Niner at the data meeting

- 2.11 The Irish Travellers Movement and FFT both questioned the results from the GTAA's and the formula because there had been no reality checking on the ground. They argue that account should be taken of the Ormiston Trust results¹⁵ that 72.6% of survey respondents either strongly disagreed or disagreed that the estimated regional need at the time of the Issues and Options report (1,220 pitches) was a reasonable estimate. They argue that the identified need of 276 additional pitches could be inferred as representing a regional estimate of around 2,760, as the study included around a 10% sample. However we are not convinced that a regional opinion study should be used as a substitute for the GTAA's which are more locally based and covered a much larger sample size (over 1,000 interviews in the combined GTAA's against 106 respondents in the Ormiston study). We also note the concerns by EERA about the statistical validity of this study, including perceived problems with the definition and interpretation of "family", and a lack of clarity as to whether respondents were identifying "additional" pitches or even residential pitches needed by family members seeking independent accommodation¹⁶. Nevertheless we do accept that this study may indicate that the estimated 1,187 pitches is likely to be on the low side.
- 2.12 Indeed the authors of the Benchmarking Guidance themselves accept that the estimates resulting from the application of the formula will be "the bare minimum rather than generous"¹⁷. This is because there is little demographic information about the Gypsy and Traveller population, as well as the fact that the primary source of information on caravans, i.e. the six monthly Caravan Count conducted by local authorities and collated by the Department of Communities and Local Government (CLG) is likely to underestimate rather than overestimate numbers. We also note that if there is a large element of unmet residential need in the unauthorised encampment data (e.g. inclusion of people with nowhere else to go rather than in transit), figures based on the formula may be an underestimate¹⁸.
- 2.13 We have no basis for challenging the use of three year average Caravan Count data in the formula. The use of a longer-term average when there are variations in data is a recognised approach. Pat Niner in her advice to the Regional Assembly¹⁹ states that there is no categorical answer on whether base caravan numbers for several periods should be averaged. She agrees that the use of January data is preferable as there is less travelling. EERA's recalculations were consistent with her conclusion that "Whatever rule is applied, it has to be applied everywhere to stop creative adjustment" (para 5, 1st bullet). We note that the effect of using three year data was to reduce slightly the overall regional estimate (and redistribute it, with the greatest effect in Essex).
- 2.14 The once and for all change to the base Caravan Count data in Chelmsford had a noticeable effect on the formula estimates for that district because of high levels of existing provision. This effect was magnified because of the use of three year average Caravan Count data. The basis of this change was spelt out in a note prepared by EERA at our request²⁰. On the basis that there is no archived material, we, and the FFT who

¹⁵ Consultation with Gypsy and Traveller Communities on policy options for the draft revision to the Regional Spatial Strategy for the East of England to address the provision of Gypsy and Traveller Caravan sites, Ormiston Children and Families Trust, October 07 (CD1.14)

¹⁶ EERA response to Ormiston Trust consultation, November 07 (CD1.13)

¹⁷ CD2.1, page 22

¹⁸ Although those with residential needs on unauthorised encampments were included in some of the GTAA's from which the formula was derived, local data on unauthorised encampments is not used in applying the formula, only unauthorised developments. This and two other circumstances where the formula may underestimate needs are described in CD2.1, page 39

¹⁹ Review of Essex Gypsy and Traveller Pitch Requirement Figures: Comments by Pat Niner, para 5, CURS for EERA, August 07 (CD4.2)

²⁰ EERA note on alteration of Chelmsford additional pitch requirements made in September 2007 (CD4.31)

was sceptical about this at the data meeting, have no option but to take it on trust that there was sufficient justification for making this change.

- 2.15 Our more detailed testing of the assessment and benchmarking process is recorded county by county in Chapter 4, where we examine whether there is any local evidence of need which might cast doubt on the use of either the GTAA or formula estimates, whichever has been used to inform draft Policy H4 in that area.

Whether needs of all Gypsy and Traveller groups have been adequately covered

- 2.16 Two main causes of possible underestimation were raised at the Examination, particularly by FFT, relating to New Travellers, and Gypsies and Travellers in bricks and mortar.

New Travellers

- 2.17 New Travellers is a label applied to a diverse population, whose reasons for travelling include economic, environmental, social and personal reasons. Their numbers have increased over time building on a tradition of travelling supported by socialisation, with a generation of children being raised in this way of life²¹. New Travellers (previously known as New Age) fall outside the ethnic definition of Gypsies and Travellers in the Race Relations Act but within the planning definition. Their needs are intended to be included in draft Policy H4 as stated in paragraph 5.17 of its supporting text.
- 2.18 New Travellers are known to exist in Suffolk and Norfolk but their numbers are uncertain. They were previously excluded from the official Caravan Count, but according to CLG have been included in the last three counts (presumably from July 2007 onwards). There has however also been some local recording over a slightly longer period. We gather that, despite trying, EERA were unable to get a New Traveller representative on their Advisory Group.
- 2.19 A numerical allowance for the accommodation needs of New Travellers (acknowledging that these requirements would need to be met in different ways from conventional residential pitches, as discussed in para 7.24) has been included in two parts of the region:
- Suffolk Coastal district, where 26 of the 31 "pitch" provision for that district is intended to meet such needs; and
 - South Norfolk, where New Traveller needs are included, but not separately identified, in the pitch requirement.
- 2.20 We are inclined to agree with FFT that these estimates are likely to under represent the true needs of New Travellers in some of the more rural parts of the region. Our reasoning for this is that:
- under-representation in GTAA surveys and under-recording in some years of the Caravan Count will have resulted in a low needs component in GTAA or formula estimates;
 - more detailed local authority data on unauthorised encampments has indicated a wider presence, e.g. in Mid Suffolk and Waveney (see paras 4.108, 4.118, 4.120);

²¹ Suffolk Cross boundary GTAA, para 2.5, University of Salford, May 2007 (CD4.11)

- local data and site work has allowed estimates to be made of further need, e.g. by Broadland DC (see para 4.84).

Gypsies and Travellers in bricks and mortar

- 2.21 FFT argued that there was a large hidden demand from Gypsies and Travellers who are now housed in bricks and mortar accommodation to return to living in caravans which has not been accounted for in EERA's evidence base. The Irish Travellers' Movement referred to the alienation that can be felt by some Gypsies and Travellers in housing. The incidence of health problems was also noted by the East of England Public Health Directorate²², although its representative acknowledged that in some cases such problems may have predated and in some cases precipitated the move into housing in the first place.
- 2.22 National guidance on GTAA preparation (termed in this report the GTAA Guidance) is clear that the needs of Gypsies and Travellers in housing should be included in accommodation assessments, while acknowledging the difficulties in identifying such people in the first place²³. Partly because of their early timing, not all the GTAAs in the East of England included housed Gypsy and Travellers in their surveys. They were however included in at least five of the eight GTAAs²⁴. Pat Niner confirmed that the formula also includes an allowance for the net movement between sites and bricks and mortar, to the extent that both directions were covered in the original GTAAs from which the formula was the best approximation²⁵. In the East of England, it appears that there has been a fuller coverage of preferences amongst Gypsies and Travellers living on sites to move into housing than in the opposite direction. Any particular concerns expressed by FFT about the resulting assumptions on pitch turnover rates are dealt with in Chapter 4.
- 2.23 The Cambridgeshire GTAA gave the most consideration to preferences from housed Gypsies and Travellers to return to sites. It specifically applied a 5% allowance for housed families as at 2005 to transfer from housing to caravan pitches²⁶. This GTAA also recognised the financial benefits to local authorities if someone moves from bricks and mortar accommodation in the social sector to a socially provided caravan site, as pitch provision costs about half that of a "council house" in capital terms²⁷.
- 2.24 Overall we agree with Pat Niner's assessment that movement from housing to sites is taken into account to some extent in the GTAA-based figures. However the evidence base is very partial and incomplete, hence no one knows what the pattern of movement would be were the supply of sites to increase dramatically as a consequence of policy. We therefore conclude that it is impractical in this SIR to include a specific allowance for a greater degree of movement from bricks and mortar back on to sites. We have to be realistic about the speed at which the historic under-provision of sites can be changed. We therefore recommend that more emphasis should be given to investigating this element in the next round of GTAAs.

²² The results of relevant research studies are summarised in the East of England Public Health Directorate, which works on behalf of Strategic Health Authorities, the Government Office, and Department of Health, Matter 1A statement

²³ Gypsy and Traveller Accommodation Needs Assessments, Guidance, paras 63 & 76 and Possible Topic List section d), CLG, October 2007 (CD2.9)

²⁴ Cambridgeshire, Bedfordshire, South and West Herts, Norfolk and Thurrock, although only minimally in the last two

²⁵ as documented in CD 2.1, pages 31 & 39

²⁶ Cambridge sub-region GTAA, note 4 page 35, Anglia Ruskin Uni & Bucks Chiltern Uni College, May 2006 (CD4.10)

²⁷ CD4.10, section 3.9.4

Other issues

Inter-regional needs

- 2.25 Although not raised by any party at or before the Examination, we have checked that inter-regional issues were considered appropriately in preparing the draft Policy, in accordance with soundness test iv).
- 2.26 Work by Pat Niner for EERA in mid-2007²⁸ found that East of England caravan numbers had grown significantly more rapidly than indicated by national growth rates between 1979 and 2007. Besides being linked to differential employment opportunities between north and south England, the detailed pattern of regional change implied to her that the East of England may have in part relieved "natural growth" in adjoining regions including London and the South East. However, having looked in detail at the GTAAs in adjoining regions and emerging policy provision, she concluded that there is no clear evidence of likely cross-boundary impacts between East of England and adjoining areas. In particular she found that interim estimates of residential pitch requirements and/or GTAA assessments for areas adjoining the East of England were mostly either at or above levels suggested as reasonable by the RSS formula. Hence there was no suggestion of any displacement of needs towards this region.
- 2.27 The only area where Pat Niner had expressed caution was in South Holland (East Midlands) if provision there were to underestimate needs, because of potential interactions with Gypsy and Traveller communities within Fenland and Kings Lynn and West Norfolk. Fenland DC however stated in debate that it was content that South Holland DC was well advanced in making provision for its needs through a development plan document.
- 2.28 Pat Niner's work was done in advance of a GTAA for London. There were several references to the recent completion of this study and we add our hopes to those of participants that this will be published as soon as possible to provide a transparent evidence base for future planning in London and adjoining regions.
- 2.29 We note however that Pat Niner's consultancy work only looked at adjoining regions. As she said in debate, cross-boundary issues may have as much to do with other regions or elsewhere as with adjoining regions. In terms of the overall pitch requirement for East of England, we therefore agree in theory with the statement in the Benchmarking Guidance that ignoring net migration would probably have the effect of under-estimating pitch requirements in southern England²⁹, i.e. those areas offering strong employment opportunities. However in practice we agree with Pat Niner's consultancy finding that there is no evidence base on which EERA could make meaningful adjustments to pitch requirements to take account of cross-boundary issues.

Replacement site provision

- 2.30 FFT argued that EERA's background work should have reviewed site conditions on existing local authority sites in order to identify the need for replacement sites. Several of the sites they highlighted were in Cambridgeshire including one in a high flood risk area, while one site in southern and western Hertfordshire also had high levels of dissatisfaction in the GTAA.

²⁸CD4.1, pages 18-35

²⁹CD2.1, page 32

2.31 While accepting that such replacement issues may well require additional land, e.g. when there is a smaller number of pitches remaining on a site after refurbishment than before, we see this as a matter to be dealt with at the local level. This is the same philosophy as used for general housing issues, where it is the role of RSS to identify net additional increases (i.e. the gross increase in housing could be larger where some stock needs to be demolished and rebuilt). GO-East said that any changes in needs within the stock should be considered within the monitoring process rather than influencing the RSS pitch provision figures.

Testing for overestimation of needs

2.32 Before coming to an interim conclusion, we examine two arguments made at the Examination that draft Policy H4 is likely to overestimate the regional pitch requirement. The first argument was raised by individuals and organisations representing the settled community who noted that it was difficult to separate needs, from demands, from aspirations in the background studies. This argument also underlay many of the original representations particularly from the Basildon area, who implied that pitch provision levels should be restricted to those in need. Although we see analogies with the results of Housing Needs Surveys to which the same uncertainties apply, we are satisfied that there are sufficient "hard" indicators from the evidence of overcrowding, concealed households, and future growth rates, to suggest real needs within the context of historic under-provision of authorised sites.

2.33 The second argument put forward by the Northern and Eastern Hertfordshire Partnership was that unauthorised developments should not be included at 100% within the formula. Their argument was that at the snapshot date of the Caravan Count some caravans may be travelling within a different area from their residential base for a particular event and hence overestimate the need when applying the formula. But we consider that this risk would be minimised because of:

- use of January data when there is less travelling;
- exclusion of unauthorised encampments from the formula which are more likely to contain Gypsies and Travellers while travelling; and
- widespread overcrowding on authorised and unauthorised pitches such that there is unlikely to be much room to accommodate visitors.

2.34 We do not therefore see any case for reducing the overall regional pitch requirement to 2011 as expressed in draft Policy H4.

Conclusions on pitch provision from our regional level analysis

2.35 From a methodological perspective, we therefore conclude that EERA's estimate of 1,187 pitches in draft Policy H4 is likely to be a bare minimum or even an underestimate of regional needs on three main counts:

- a probable underestimate of New Travellers;
- a probable underestimate of those in bricks and mortar wishing to return to sites; and
- a possible underestimate of the desire to move into the East of England from other regions.

2.36 Of these, the only one that we have felt able to adjust for is New Travellers. For the more detailed local reasons given in Chapter 4, we there conclude that the overall

regional estimate should be increased by 17 pitches to represent a fuller estimate of New Traveller needs (see paras 4.84 and 4.108). This represents a relatively small adjustment acknowledging the uncertainties inherent in the data sources. We recommend that greater attention should be given in the next round of GTAAs to identifying and understanding the needs of New Travellers.

- 2.37 It is not possible for us to conclude on the precise scale of regional pitch requirements that should be included in draft Policy H4 until we have tested whether there is any local evidence of need that may not have been adequately reflected in the GTAA or formula estimates for each district. We reach these conclusions in paras 4.137-4.143.

Recommendation 2.1

In process terms:

The next round of GTAAs should give more emphasis to investigating the preferences of Gypsies and Travellers living in bricks and mortar to return to living on caravan sites, and include a fuller investigation of the needs of New Travellers.

SCALE OF PROVISION BEYOND 2011

Importance of the longer term

- 2.38 The draft Policy has a specific figure for total provision to be made up to 2011 and states that for subsequent years there should be an annual 3% increase. The starting point is therefore that the policy has no fixed end date but allows local planning authorities to understand³⁰ and plan for its longer term implications.
- 2.39 LDF Core Strategies should have a 15 year time horizon from the date of adoption and that is reiterated in RSS Policy H1 on regional housing provision. Where Green Belt reviews are taking place, these are expected to allow for development needs to 2031³¹. Thus the policy should provide appropriate guidance to form the context for Development Plan Documents (DPDs) and that broad objective is met in the terms of the draft Policy. The detailed approach to expressing the regional total at district level is discussed at the end of Chapter 3.
- 2.40 Some statements sought a specific end date, such as 2021, or criticised the short timescale of the draft Policy. We do not believe the latter point has any substance from a full reading of the policy. However it may be that the suggestion that this might be so arises in part from ambiguity in the approach post 2011, which is dealt with below. We do accept that the flexibility to provide clear guidance for DPDs with varied adoption dates must be a feature of the policy, whatever amendments are found to be necessary.
- 2.41 There were some representations to the effect that it would be difficult to meet the requirement for 2011, particularly in areas of constraint, because of the time needed to adopt DPDs³². We accept that there is wide variation in progress with DPDs. But even if there is an element of aspiration in the draft Policy's targets, we do not accept that this should be a reason to amend the policy. To do so would undermine the urgency which is sought in Circular 01/2006 and might discourage those local planning authorities which have been making constructive progress. Furthermore increased provision does not have to await the approval of new DPDs.

³⁰ subject to clarifying the intended arithmetic, as discussed in Chapter 3

³¹ Policy SS7 (CD1.1)

³² E.g. St Albans City & DC Matter 1A statement

3% pa assumption

- 2.42 The draft Policy seeks an annual increase in total regional pitch provision of 3% from 2011. The GTAA Guidance³³ states that average national estimates of future household formation are in the range 3-4% but advocates using local evidence where this is available. Not surprisingly, a figure which is relatively high compared with an equivalent estimate for the settled community is looked at critically by some. On the other hand FFT argues that since the nationally supported estimate is a range, then the mid-point, i.e. 3.5%, should be chosen, although this would not allow for the presence of some New Travellers who with smaller family sizes are likely to reduce the average rate.
- 2.43 FFT also points out that applying a 3% rate will only account for those households which have been identified. This is a similar point to criticism of the overall needs estimate and the reliability of Count based figures. However we do not accept that the uncertainties in these respects would be grounds to make a general compensating adjustment. There is very little local evidence, such as from GTAAs, and this is not sufficiently widely based or convincing³⁴ to supersede the reliance in the draft Policy on broad national experience. We were also reassured that the 3% estimate accords with information found in recent GTAA's nationally³⁵.
- 2.44 On balance therefore the 3% figure is accepted. This should be expressed as a compound rate, to remove any uncertainty. We have no doubt that that is what is intended³⁶, and to calculate this otherwise would result in a diminishing rate per household the longer the time period being calculated. We recommend accordingly.

Basis for longer-term guidance

- 2.45 The policy has to bridge the gap between a relatively short-term approach in forecasting Gypsy and Traveller accommodation needs from detailed local surveys and the longer term view needed to prepare robust planning policies. Although national guidance is that GTAAs should cover a 5-10 year period, in practice the evidence put forward in the SIR has a shorter horizon.
- 2.46 Some representations linked their criticism of the soundness of the draft Policy with urging that proposals from 2011 should form part of the East of England Plan review and be informed by a new and consistently produced set of GTAAs. We were told that the project plan for the recently commenced RSS review does not allow for any further consideration of Gypsy and Traveller accommodation. Review work is being completed to a fast timescale, providing for the publication of options in Spring 2009 and a draft submission later in the year. Thus any review of Gypsy and Traveller issues would have to be conducted separately, whether as part of another SIR, within a subsequent review of the RSS, or within a future form of Single Regional Strategy. We have assessed the soundness of the current submission throughout our report. Given the likely pressures of implementing new regional economic and planning arrangements at this stage, there is a strong likelihood of a policy vacuum if Policy H4 contains only provision for the 2006-11 period. To our mind it would be unsound if the policy fails to give clear guidance for the longer term.

³³ CD2.9, para 93

³⁴ The Bedfordshire and Luton GTAA, David Couttie & Associates, 2006 contains an estimate of 6.9% but it does not have a robust approach to household formation within the community and its calculation is not a genuine compound rate (CD4.8)

³⁵ Benchmarking of GTAAs – Pat Niner presentation to the Data Meeting (CD4.24)

³⁶ For example, this is stated on page 30 of CD2.1 and page 25 of CD2.9

- 2.47 We accept that there are uncertainties beyond 2011, one reason being the effect that an increasing level of authorised provision will have on historic patterns. Nevertheless we commented at the Examination that the approach post 2011 was potentially muddled and could undermine the objectives of the policy. The principal reason for this is the acknowledgement in the draft Policy that requirements post 2011 can be revised on the basis of up-to-date GTAA's. Our concerns in this respect have increased force because there is at least one new GTAA at an advanced stage (see para 4.12).
- 2.48 We do not see a practical distinction between total regional provision post 2011 and distributional strategy, despite the separate way these are dealt with in the draft Policy text. If a local GTAA produces an estimate of local need different to the RSS provision which is carried forward into a DPD, this will impact upon the regional total, unless there is any way of adjusting provision levels in other districts. Continuous updating in this way would be impractical.
- 2.49 There are two reasons why the current wording could undermine the aims of the Policy:
- First, while GTAA's are meant to consider both the need for accommodation and where that demand could be met, that is inevitably from a narrow perspective and does not amount to an overall regional view. This would be contrary to the approach described in Circular 01/2006.
 - Secondly, there should be a process whereby a GTAA is in effect benchmarked before it is accepted as providing evidence upon which to re-assess the implementation of policy in the approved RSS. This is particularly significant in relation to meeting the needs of Gypsies and Travellers because of the pressures there may be towards under-provision.
- 2.50 Thus while we support the intention to take into account new evidence in reviewing post 2011 figures, there should be a process which enables a regional level planning input to be made. That process would also be an opportunity to achieve greater consistency of methodology and a coordinated timescale. Arising from these concerns EERA proposed that the phrase "unless evidence from up-to-date Gypsy and Traveller Accommodation Assessments suggests otherwise" be deleted and an alternative approach describing a formal review of the policy substituted. We support these amendments to the wording of Policy H4 and recommend accordingly.

Recommendation 2.2

Express the annual increase beyond 2011 as "3% compound" in Policy H4.

Recommendation 2.3

Delete the option in Policy H4 for amending the post 2011 provision for any district on the basis of up-to-date GTAA evidence, and replace it with a requirement that any revision to provision post 2011 should be made following the co-ordinated preparation of GTAA's and a formal regional level review.

3 DISTRIBUTION OF RESIDENTIAL PITCH PROVISION

Matters 1.7, 1.8, 1.9 and 3

This chapter assesses EERA's approach to considering options and the robustness of its reasons for basing draft Policy H4 on a wider distribution of pitches than implicit in the GTAA findings. It also discusses the justification for a minimum level of 15 pitches per district and whether other specific constraints and opportunities should have explicitly influenced the regional distribution. It then goes on to examine factors affecting distribution post 2011 and how the district requirement beyond 2011 should be determined and expressed.

CONSIDERATION OF OPTIONS

3.1 EERA used two contrasting approaches in allocating their estimate of pitches required between 2006-11 to individual districts and unitary authorities. The starting point for both options was the local needs requirements by district resulting from the GTAAs, or where not deemed robust by the benchmarking exercise, the formula approach:

- Option 1, the GTAA based distribution, took these estimates as an expression of local needs;
- Option 2, a wider distribution, redistributed an element of pitches away from the districts with the highest level of existing provision and allocated it to all districts where the estimated need was less than 15, thus bringing each up to a minimum level per district.

3.2 These two options were subject to public consultation at the Issues and Options stage in spring 2007³⁷, and following further work, EERA Members decided to pursue the wider distribution approach. There were two main challenges to EERA's approach at the Examination, based on the Sustainability Appraisal (SA) findings, and the adequacy of the range of options considered.

Options assessment in the Sustainability Appraisal

3.3 Objectors such as Hertfordshire CC point out that the SA at the Issues and Options stage³⁸ gave a steer in the opposite direction to that taken by EERA by concluding that:

- "A pattern of distribution that does not reflect expressed needs is unlikely to be sustainable", page 29; and
- "Option 1 is likely to have more benefits in terms of sustainability than Option 2", section 8.

3.4 Looking in more detail shows that the detailed assessment table, Table 4.2, identifies five objectives against which Option 2 was perceived to have potentially negative impacts (one related to jobs and four related to social considerations). When the SA was subsequently repeated on submission draft Policy H4³⁹ (which is based on the principles of Option 2), potentially negative impacts had disappeared from two of these objectives (relating to jobs and community involvement) but remained against the other

³⁷ Planning for Gypsy and Traveller accommodation in the East of England: Issues and Options, Consultation Document, EERA, May 2007 (CD1.17)

³⁸ Draft Sustainability Appraisal of the Issues and Options Report, ERM on behalf of EERA, April 2007 (CD1.19)

³⁹ Sustainability Appraisal, ERM for EERA, February 2008 (CD1.4)

three social objectives. We were not impressed by EERA's explanation of the reason for the change against the jobs objective⁴⁰.

- 3.5 We accept the difficulty of making assessments of a regional policy like this which does not have any site-specific elements. We conclude that the fault lies in the lack of a clear audit trail as to why draft Policy H4 is based on the wider distribution approach, rather than necessarily a flawed decision.
- 3.6 We therefore recommend that any further SA to accompany the Proposed Changes stage or policy adoption should include a clear audit trail of why the submission SA assessment differed from that at the Issues and Options stage in its assessment of the wider distribution strategy and its detailed assessment on two objectives. Arguments that could be used in relation to the job opportunities' objective are that the wider variety of jobs now undertaken by Gypsies and Travellers means that they should be accessible from all districts in this region given its settlement structure. On the involvement objective EERA also stressed the active encouragement that they would give to local authorities to involve Gypsy and Traveller communities in the design and provision of pitches through the LDF process, as we discuss further in paras 7.14-7.17 and 8.19. Any further SA should also consider whether there are any mitigation measures that can be identified to reduce the risks of the Policy on the remaining three objectives against which potentially negative impacts were recorded.

Recommendation 3.1

In process terms:

An explanation of why the submission SA assessment differed from that at the Issues and Options stage on the wider distribution strategy and on two objectives, should be included in any further SA at the Proposed Changes stage or when the Policy is adopted.

Adequacy of options considered

- 3.7 A second challenge is that an inadequate range of spatial options was considered. Hertfordshire CC and the Northern and Eastern Hertfordshire Partnership argue that a spatial planning approach should have been adopted, in particular with consideration given to Green Belt – a policy constraint, environmental constraints and the location of major development opportunities.
- 3.8 Although only two options were subject to public consultation in preparing the draft Policy, alternative distributions were subsequently constructed and are set out in EERA Committee reports. In particular an additional option was presented to the Regional Planning Panel at its 12 December 2007 meeting⁴¹, which had been prepared by EERA officers following advice from the Regional Technical Advisory Group. This sought to respond to comments made in the Issues and Options public consultation and it modified Option 2 by:
- reducing pitch provision in those authorities deemed to be the most heavily constrained;
 - increasing pitch provision in several authorities close to the districts with the highest existing provision; and

⁴⁰ i.e. that the later assessment was on the basis of the overall planned pitch provision numbers rather than any comparative distributional element as it was at the Issues and Options stage

⁴¹ Report to EERA Regional Planning Panel, item 3, Appendix G corrected, 12 December 2007 (CD1.11)

- lowering the threshold for the minimum provision to 10 pitches per district rather than 15.
- 3.9 These issues continued to underlie the cases made by various parties at the Examination. FFT was alone in objecting to the options considered on the basis of inadequate scale of provision, as well as distribution⁴².
- 3.10 We do not agree with objectors that the assessment of options was so deficient as to make draft Policy H4 unsound. The only wholly different dimension which could have been considered would have been to link additional pitch provision to the location of major development opportunities within the East of England Plan. However for the reasons given later in this chapter, we do not think this could be a realistic driver of short-term pitch distribution to 2011. The scale of new housing expected in each district to 2011 was used as a proxy for development opportunities when constructing the EERA officer option, and this forms part of the evidence base on which we have tested the resulting distribution.
- 3.11 We therefore conclude that an adequate range of options was considered during the preparation process, but their identification and assessment was not as transparent as it might have been. In retrospect it would have been preferable for some consideration of district capacity issues, and a more localised distribution away from areas of highest existing provision, to have been considered earlier, and for a moderated Option 2 to have been included in the Issues and Options document.
- 3.12 However, we do not consider that failure to subject the eventual moderated wider distribution (EERA officer option, 12 December 2007) to public consultation negates the whole process. The likely reaction of the settled community in those districts which might have had a reduced allocation under such an option can be gauged from the responses to the Issues and Options consultation. Likewise reaction from those districts having an increased allocation can also be anticipated. In general it should not be assumed that consultation on options is some form of voting system, whereby the option attracting the largest numerical support should be automatically adopted. This would be one of several factors to be weighed, when the Regional Assembly was taking a strategic view of needs across the region, in accordance with Circular 01/2006⁴³.
- 3.13 The Examination debates also provided the opportunity for us to test whether any district specific circumstances were so significant that they should influence pitch distribution (see Chapter 4), and the merits of a more localised redistribution (see later in this chapter). From our consideration of all the evidence we do not entirely agree with the reasons given by EERA Members in rejecting their officers' moderated wider distribution option⁴⁴, and some but not all of its thinking is reflected in our final recommendations on distribution.
- 3.14 The next section provides the reasoning for our support for the principle of a wider distribution approach. Following that we test the justification for setting the minimum level per district at 15 pitches and the implications of not identifying Green Belts, environmental constraints or major development opportunities as factors that should influence the regional distribution.

⁴² FFT favoured a distribution similar to Option 1 grounded in the GTAA findings and other indications of local need plus a minimum of 15 pitches per district from Option 2

⁴³ Circular 01/2006, para 23 (CD2.2)

⁴⁴ i.e. that it undermined the principle of providing greater choice; departed significantly from consultation options; and used an insufficiently robust redistribution methodology

BASIS FOR A WIDER DISTRIBUTION

General approach

- 3.15 EERA supports the principle of a wider distribution as originally illustrated in Option 2 on the basis of two distinct lines of argument. Making some provision in all districts is argued both to provide increased flexibility and choice for Gypsies and Travellers and to assist the increased rate of delivery which is necessary. Distribution away from the three districts with the largest current provision and local need is advocated because of the historic reasons why these marked differences exist.
- 3.16 There is some support for the principle of a wider distribution from the GTAAs. Indeed that for the Cambridge Sub-Region found no specific preferred location, just “more sites anywhere” and recommended that any policy for future provision should aim at a more even redistribution⁴⁵. Similar references to assessed needs not necessarily implying that provision should be made in that particular district can be found in the GTAAs for Suffolk⁴⁶, South and West Hertfordshire⁴⁷ and Northern and Eastern Hertfordshire⁴⁸. These references however generally imply the possibility of rebalancing within the GTAA study area, and not of a region-wide redistribution as found in draft Policy H4.
- 3.17 EERA also relies on findings from the Ormiston Trust work⁴⁹ to reinforce the principle of a wider distribution:
- 42.5% of gypsy and traveller respondents said they would move anywhere, and in response to a follow-up question a further 34.9% would move if good accommodation could be accessed (question 5);
 - more than 95% believed that there should be local authority provision of traveller sites in each area, with a number of respondents stating that there should be more than one in each area (question 6).
- 3.18 However the interpretation of both questions is disputed by Hertfordshire CC and others. In particular they point out that 56.6% of respondents said that there were places in the region that they would not go to (although no further information appears to be available on which places these were), and that the high affirmation of question 6 related to local authority provision in each area - respondents were not asked for their views on "additional" pitch provision in each area. FFT accused EERA of "cherry picking" responses it wanted to hear on distribution, but failing to heed the messages on scale (see para 2.11).
- 3.19 On balance we consider that only qualified support for EERA's position can be gained from the Ormiston Trust work, given the unclear wording of the questions. We are also conscious that the concept of choice may be unfamiliar to Gypsy and Traveller respondents who continue to experience pitch shortages and opposition from settled communities⁵⁰.

⁴⁵ Cambridge Sub-region GTAA (CD4.10)

⁴⁶ Suffolk Cross Boundary GTAA, particularly paras 5.47-5.50 (CD4.11)

⁴⁷ South and West Hertfordshire GTAA, paras 7.36, 8.13 (CD4.7)

⁴⁸ Northern and Eastern Hertfordshire GTAA, paras 9.57-58 (CD4.6)

⁴⁹ Consultation with Gypsy and Traveller Communities on policy options for the draft revision to the Regional Spatial Strategy for the East of England to address the provision of Gypsy and Traveller Caravan sites, Ormiston Children and Families Trust, October 07 (CD1.14)

⁵⁰ Consultation on Options, page 6, Cabinet Draft, Epping Forest DC, October 2008 (569-3)

Increased choice

- 3.20 The principle underlying the wider distribution proposed is that a small number of Gypsy and Traveller families could be provided with attractive and suitable accommodation in any district. The fact that some parts of a district would be poor locations and that a proportion of Gypsies and Travellers would not wish to move to any one district would not be reasons to find a wider distribution unsatisfactory. Several District Councils have argued strongly that there has been no history of permanent Gypsy and Traveller sites in their area and that therefore the imposition of a requirement is unreasonable and contrary to Gypsy and Traveller preferences. From this it is argued that there will be no evidence base to justify local provision. This approach has been contradicted by the evidence we have found (see discussion on Three Rivers in paras 4.41-4.42, 4.50, Broadland in 4.84, 4.91, and Ipswich in 4.107, 4.114) and we do not believe it should be accepted. The absence of a local population of Gypsies and Travellers is frequently a result of the approach to enforcement and the historic lack of opportunity, which is dealt with further below.
- 3.21 The positive characteristic of a wider distribution (that is some provision in all districts) was supported on behalf of Gypsies and Travellers, including FFT and Justice for Travellers. The latter compared the requirements of Gypsies and Travellers to those of the settled community, such as for access to services. This supports EERA's argument that the requirement to provide a minimum of 15 pitches is relatively small when compared with the number of new dwellings required in RSS for the same period, the latter being 1,000 or less in only four districts where 15 additional pitches are sought⁵¹. This implies that attractive locations equivalent to those for settled residents should be available.
- 3.22 FFT supported widening opportunity, which is not currently available, so that Gypsies and Travellers can choose their place of residence in a manner more closely resembling the operation of the general housing market. EERA points out that there is at least one larger settlement in each district or within easy access of it, and hence that new Gypsy and Traveller provision can be made giving reasonable access to jobs and services. EEDA also supports the wider distribution and considers it may encourage greater economic participation by Gypsies and Travellers. EEDA appears however to envisage that the distribution would be away from areas remote from urban centres and towards RES "engines of growth", but that has not been explicitly part of EERA's allocation.

Improved delivery

- 3.23 A benefit for delivery is claimed from spreading this task more evenly between districts. Experience with delivery as recounted at the EiP, that is the provision of new pitches which are available for occupation, suggests that progress is patchy. It is not surprising that some District Councils have been reluctant to progress the pitch numbers in the draft Policy until these have been approved and this probably also explains the poor take up of Gypsy and Traveller Site Grant in 2008. Delivery will require commitment and resources, and may also reflect the presence locally of constraints and opportunities. The importance of delivery is demonstrated in past failings and underlies much of our thinking as well as being specifically addressed in Chapter 8.
- 3.24 One direct consequence of requiring a minimum delivery everywhere is to increase the range of potential sites and to enable more resources and personnel to be involved in

⁵¹ Maldon, Brentwood, Castle Point and Three Rivers (CD4.27C)

implementing provision. Furthermore, in so far as there are opportunities for delivery linked to larger housing sites, a wider distribution provides a greater overall opportunity. Thus the wider distribution has the potential to enhance delivery but also provides its own challenges, such as the need for communication between Councils and with Gypsies and Travellers or their representatives from outside a particular district, in order to learn about preferences and ensure sites are taken up. The benefit to delivery should not be judged solely in relation to the five year period which is the starting point of the Policy. The aim should be to progress towards a distribution of provision which is better suited to overall needs and capable of progressing to meet the ongoing requirement. That is a further important reason why we consider the principle of wider distribution is sound.

Relevance of current distribution

- 3.25 Underlying EERA's argument is its analysis of the reasons which explain the variation in the number of Gypsies and Travellers resident in each district. Inevitably this is a complex subject which will have been affected by a wide variety of factors, such as traditional patterns of movement linked to employment, the extent to which each Council provided its own sites or permitted private applications, how rigorously unauthorised developments were dealt with, and the availability of suitable-sized plots of affordable land. The presence of other Gypsies and Travellers in the locality may also have made an area more attractive to those wanting to establish a permanent base. Examples were provided of where Gypsies and Travellers had moved from one location to another a considerable distance away following enforcement action⁵². These arguments are strongly supported by the three districts with the largest level of current provision, where EERA proposes that the full locally calculated need should not be met but instead some of this need should be accommodated in other districts. We note that in January 2006 these districts provided 28% of the authorised pitches in the region. In 17 out of 48 areas there were no socially rented sites at that date, whereas all provide some form of social housing, and there were five areas with no authorised pitches at all. We agree with EERA that there should be greater equity between local authorities in the distribution of pitches.
- 3.26 Whereas this analysis of the current distribution was not significantly disputed, the resulting outcome was controversial. FFT argues that in so far as provision proposed in a district for 2006-11 is less than known unauthorised developments there will be an element of compulsory migration⁵³. This was identified as a significant difference from how the planning process makes provision for new housing. Powerful arguments were also put to the contrary, to the effect that unlawful developments should not be rewarded and that community cohesion is undermined by large numbers in one district. How this is resolved will influence the assessments made by the settled community and Gypsies and Travellers as to whether the outcome is fair and balanced. Whereas the current distribution of pitches does not represent a planned outcome, the Gypsy and Traveller community can point out that unauthorised developments have occurred because of restrictive policies and practice and the failure of the planning process as a whole. Thus those on both sides of the argument can draw some support from a comparison with the planned approach to new housing development. The current reality is that, even if those on unauthorised sites had few local connections when they

⁵² Inspector's report, Crays Hill, Billericay (834-2)

⁵³ This would be the case in South Cambridgeshire DC and Basildon DC, but not in the other District with the largest concentration, Fenland DC

arrived, they may well have links with those on nearby land and have subsequently begun to establish roots, such as in education and employment.

- 3.27 We therefore accept that the principle of achieving a more balanced distribution is sound, although the scale of this (including the 15 pitch minimum) and whether it should be influenced by a broader range of planning considerations will be considered in the next section of this chapter. Our district specific analysis in Chapter 4 also considers the appropriateness of the scale of the distribution away from the three districts with the largest existing provision, which in the draft Policy has been achieved by an equal proportionate reduction in each district. Here some 50% of the calculated locally arising need will be met in other districts. This amounts to about 20% of the total net increased provision being sought. Although this may appear relatively large, it can be compared with growth through household formation of 16% in an equivalent period.

Implications of wider distribution for Gypsies and Travellers

- 3.28 In so far as sites are unlawful and have been found to be unsatisfactory in the planning process, there is an expectation that the occupiers will have to move elsewhere, whether within a district or beyond it. The SIR is not concerned with individual sites but the circumstances in each area are very relevant to whether the policy is fair and justified by the balance of personal and planning considerations. This will have important practical consequences, including financial ones.
- 3.29 The implications of the distribution in the draft Policy and whether it is realistic and achievable is tested particularly by the circumstances in districts where it implies significant constraint. There are two overlapping pressures, since for some Gypsies and Travellers the absence of a local site will be combined with the need to relocate from an unauthorised site, with the associated hardship and expense. However the main difficulty is the availability of alternative authorised pitches. It is a difficult judgement whether the degree of restraint sought will mean that some Gypsies and Travellers with strong local connections will be unable to remain in their locality. There are likely to be considerable variations in the extent and character of local ties. In so far as a group with close connections move together, the disruption and adverse impact would be less.
- 3.30 The fact that Gypsies and Travellers have led a nomadic lifestyle means that their ties are less likely to be within a small area. The wide variation in rates of growth of caravan numbers by district confirms both this relative mobility and the fact that for some local ties may have only developed over recent times. For example the Cambridge Sub-Region GTAA looked at how caravan numbers had changed in the nine districts covered. In four of these numbers had gone down whereas in two districts the increase was some 7-9 times the average⁵⁴. Of course the Policy is expressed in total numbers whereas its impact is upon individuals. However the figures proposed are not maximum numbers but minimum levels to be achieved, and when development control decisions are made individual circumstances will be relevant. We therefore conclude that the main principles of the wider distribution strategy are sound, although we test in Chapter 4 whether there is greater local opportunity in nearby districts to accommodate a greater amount of need arising from the three districts with the highest levels of existing provision.

⁵⁴ The greatest increase was in South Cambridgeshire DC, where the increase was from 51 caravans to 425, as compared to 91 that would have been the total had the average growth occurred

IMPLICATIONS OF THE REGIONAL DISTRIBUTION IN DRAFT POLICY H4

Minimum pitch level per district

- 3.31 The instrument used by EERA to achieve a wider distribution is to impose a minimum level of 15 pitches to every district regardless of the estimate of locally-arising need calculated by the GTAA or formula. There are 25 out of the total 48 districts and unitaries where their pitch provision in draft Policy H4 is set at this minimum level.
- 3.32 All of those who had previously objected to Option 2 at the Issues and Options stage saw this as a distortion of the GTAA based evidence; the Northern and Eastern Hertfordshire Partnership described the approach as akin to social engineering. Overreliance on the Ormiston Trust findings was also alleged (see para 3.18). In addition to these objections in principle, many participants objected to the level of 15 as being arbitrary.
- 3.33 EERA's choice of 15 relates to its interpretation of best practice for site design:
- "There is no one ideal size of site or number of pitches although experience of site managers and residents alike suggest that a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage..... (para 4.7).*
- "Sites should ideally consist of up to 15 pitches in capacity unless there is clear evidence to suggest that a larger site is preferred by the local Gypsy or Traveller community..... (para 4.8)⁵⁵.*
- 3.34 Like several participants we do not find this entirely convincing. Both quotes suggest 15 as a workable maximum. Several participants including both the Cambridgeshire and Hertfordshire Constabularies made the case for smaller site sizes, and this was also expressed in the Issues and Options consultation. However we agree that there is nothing in the draft Policy to require any particular form or size of pitch provision. That discretion quite rightly rests with each local authority.
- 3.35 Overall we accept the minimum level of 15 as appropriate to provide the opportunity for a wider range of locational choice for Gypsy and Traveller communities than currently exists at the moment. There is also a reference to a scale of "at least 15 pitches" being advisable to establish a viable community when planning new areas of site provision in the Benchmarking Guidance⁵⁶. The effects of setting the level at 10 pitches were tested by EERA officers in their December 2007 option and gave a more limited redistribution. Subject to testing the specific local issues in Chapter 4, we therefore accept EERA's minimum level of an additional 15 pitches per district.

Green Belt

- 3.36 Many Gypsies and Travellers already live in Green Belt areas e.g. around the fringes of London, Cambridge and Luton, and the GTAAs establish a considerable amount of locally-arising need here. The distribution proposed in the Policy has not been influenced by the extent of Green Belt constraint, except in so far as this underpins the reduced requirement in Basildon DC and possibly in South Cambridgeshire. All other districts containing Green Belt are expected to make provision for their full local need,

⁵⁵ Designing Gypsy and Traveller Sites, Good Practice Guide, CLG, May 2008 (CD2.8)

⁵⁶ Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies, page 52, CLG in partnership with GO-East and EERA/SEERA/SWRA, March 07 (CD2.1)

and indeed 12 are expected to accommodate some need from elsewhere as a result of the imposed minimum requirement.

- 3.37 This aspect of EERA's approach caused considerable concern at the Issues and Options stage. Indeed 198 of 489 responses to the Issues and Options consultation report said that constraints were so significant in some areas that they could not make pitch provision of the illustrative scale. Of such constraints Green Belt was the most frequently mentioned⁵⁷.
- 3.38 EERA's position is that the draft Policy does not presume that a greenfield site will be required. Those authorities with significant Green Belt have the capacity to deliver at least 3,000 dwellings by 2021, in many cases without the release of Green Belt land. Thus sites may be available associated with housing development.
- 3.39 There was very little evidence to support EERA's contention that in areas with tightly drawn Green Belt boundaries, sites would be likely to be found outside the Green Belt. One main reason for this is the high land cost. Furthermore many Gypsies and Travellers prefer some separation from built housing. We also explored the potential from availability of brownfield sites, particularly in older urban areas, but were not persuaded this would be likely to offer much opportunity. The costs of developing such sites are likely to be higher, so that the potential to use these for Gypsy and Traveller sites may be small. Furthermore the realism of these options needs to take into account the preference of many Gypsies and Travellers to own their own land. This is only likely to be practicable where the initial land cost is relatively low. These conclusions are consistent with the general experience that Gypsy and Traveller sites are typically outside development boundaries. For example all existing Gypsy and Traveller sites in Brentwood BC are in the Green Belt. This situation may change gradually but we consider that it would be unrealistic to base a policy which is to be implemented in the short term on this expectation.
- 3.40 Hence in the short term the implications of draft Policy H4 are that a case may need to be made in some Local Development Documents (LDDs) for minor Green Belt boundary changes, as envisaged in Circular 01/2006⁵⁸, once opportunities outside the Green Belt have been fully explored. Some local authorities including those in south west Hertfordshire argued that they would not have the exceptional circumstances to justify this if it was not based on locally-arising need. In our view the regional requirement would provide the necessary exceptional circumstance because of the following important considerations which underlie the distribution:
- The urgent and compelling objective of making authorised provision for Gypsies and Travellers for the reasons elaborated in Circular 01/2006, including in order to improve access to health and education services and avoid the harm from unlawful camping.
 - The benefit to delivery that will be achieved by a wider distribution of sites.
 - Providing sites in a spread of locations, bearing in mind that the current distribution of provision and locally-arising need does not necessarily reflect the preferences of Gypsies and Travellers or relevant planning considerations, such as access to employment.
 - Equity between local authorities.

⁵⁷ Summaries of responses received to the Issues and Options Consultation, Appendix B, EERA, September 07 (CD1.16)

⁵⁸ Circular 01/2006, paras 49-51 (CD2.2)

- Closer alignment of Gypsy and Traveller pitch provision with housing and employment development for the settled community in order to facilitate access to jobs and services and as a basis for continuing provision.
- 3.41 We have also had regard to specific local circumstances in Chapter 4 to evaluate whether the potential impact on the Green Belt is acceptable and therefore whether the necessary exceptional circumstances would exist.
- 3.42 In the longer term we agree with EERA that where a strategic review of the boundary of the Green Belt is to be carried out as required in RSS Policy SS7, there will be an opportunity to include pitches as part of the requirement for any new development. Accordingly in those locations the exceptional circumstances necessitating the review also support the provision of accommodation for Gypsies and Travellers. This is reinforced by draft Policy H4's support for making provision where major housing development is to take place which in many cases will also give Gypsies and Travellers access to jobs and services in the Key Centres of Development and Change.

Environmental constraints

- 3.43 The distribution of pitch requirements between districts within draft Policy H4 does not explicitly take account of the scale of coverage or nature of environmental constraints. However the proposed reduction in one district, Fenland, could in part be a response to high levels of flood risk. The draft Policy does however acknowledge in paragraph 5.17 of the supporting text that environmental factors will affect site-specific allocations and decisions at the local level.
- 3.44 Many responses at the Issues and Options stage argued that environmental constraints should have influenced the regional distribution (see para 3.37). Local authorities at the Examination tended to use the presence of environmental constraints as one of several factors to argue for a reduction in their requirement or at least for not increasing it.
- 3.45 EERA's case is that no district is so constrained as not to be able to provide the required number of pitches. To demonstrate this, we were given a table quantifying the extent of land within about 10 categories of environmental constraint, with the broad patterns illustrated on a map⁵⁹. Environmental constraints can overlap and it is of course the composite picture that is of relevance at the local level.
- 3.46 Not all constraints have the same importance in relation to pitch provision. The one constraint that can be regarded as absolute is Flood Zone 3⁶⁰. Fenland DC also noted the difficulties in practice of justifying sites in Flood Zone 2 in the presence of Environment Agency objections. Although they did not object to their proposed level, they suggested that other districts could not justify being unable to provide a much smaller number of pitches on the basis of their coverage of environmental constraints.
- 3.47 EERA concludes that the amount of provision sought in any one district is consistent with the degree of local constraint. In this context the small scale of the pitch requirement as compared with housing and other development which is to take place strongly suggests that it was reasonable for EERA not to consider environmental constraints as an influence on regional distribution.
- 3.48 However we are conscious that in some smaller intensely urbanised authorities there may be very little unconstrained land remaining after sifting out urban land and composite environmental constraints. EERA also identified that the amount of

⁵⁹ Data meeting presentation giving maps of constraints and opportunities (CD4.27), Environmental constraints note (CD4.27A), Area of land in hectares of each environmental constraint (CD4.27B), EERA, September 2008

⁶⁰ PPS25, Annex D paras D19 and D21 (CD3.10) plus Environment Agency Matter 1B statement

unconstrained land in their tables could if anything be overestimated for these urban authorities, since the GIS mapping techniques may have been insufficiently sensitive to filter out urban green space uses such as cemeteries. We therefore acknowledge that the opportunity to provide Gypsy and Traveller sites in competition with other land uses may be severely restricted in authority areas such as Watford and Southend-on-Sea.

- 3.49 Overall we accept the premise that a small amount of provision in every district is likely to be achievable in the initial five year period. In our detailed assessment in Chapter 4 we have had regard to the level and broad location of constraints in a district in order to assess whether the scale of provision sought is reasonable.

Development opportunities

- 3.50 The regional distribution in Draft Policy H4 does not explicitly take account of development opportunities or indeed major developments. The draft Policy does however acknowledge their importance as a means of achieving required provision levels by 2011, i.e. as a delivery mechanism.
- 3.51 EERA's justification for its wider distribution is that all districts have to provide a significant amount of new housing under Policy H1 of the East of England Plan, in association with which there may be opportunities for joint provision. This was demonstrated by a table which related the Gypsy and Traveller provision required by draft Policy H4 as a proportion of new housing required for each district under the East of England Plan⁶¹. In almost all cases the percentage was relatively small with a regional average of 0.94%. We note however the assumptions in estimating the 2006-11 housing level which smoothes delivery over the whole plan period.
- 3.52 The national Site Design Guidance is that new Gypsy and Traveller sites may be provided as part of significant new build developments and potentially also linked with smaller scale developments⁶². Thus planned housing provision constitutes an opportunity that may enable some site provision and is broadly spread across the region. We have taken into account the general amount of housing planned in each district when reviewing individual requirements in Chapter 4.
- 3.53 Superimposed on this general pattern of housing growth, are the identified Key Centres of Development and Change in the East of England Plan. In a planning sense these might be classed as the major development opportunities. We consider that it would have been unrealistic for these regional scale development opportunities to have substantially influenced the 2006-11 Gypsy and Traveller distribution. In part this is a function of the long lead times entailed in the largest housing schemes. Stevenage BC for example said that the Stevenage West development which has still to receive planning permission was first conceived in 1994. It is improbable therefore that the most major schemes which do not yet have planning permission will be in a position to deliver pitches by 2011.
- 3.54 Major development opportunities may be an increasingly important opportunity for delivery over the longer term. We heard where major development opportunities are expected to bring forward new Gypsy and Traveller pitches. For example these are linked with the provision of two sites in the Peterborough City Council Core Strategy. These development opportunities have particular relevance where they provide a justification for a strategic review of Green Belt boundaries which may also release land for Gypsy and Traveller pitches (see para 3.42). Not everyone agreed with the

⁶¹ Dwellings to be Built 2006-2011 in East of England, EERA note, September 2008 (CD4.27C)

⁶² CD2.8, para 3.7

practicalities of linking provision with major development opportunities as we discuss further in relation to the detail of the policy drafting in paras 7.27-7.33.

- 3.55 Overall we support EERA's general approach to pitch distribution in draft Policy H4 on this issue. New major developments are an important potential opportunity for pitch provision but taking the presence of major developments into account in distributing the current requirement would be contrary to the aim of the draft Policy to achieve the rapid progress sought in Circular 01/2006. We comment on cross-boundary implications and opportunities for joint working that arise from specific major development opportunities in our district by district analysis in Chapter 4.

DISTRIBUTION BEYOND 2011

- 3.56 The draft Policy apportions the growth anticipated to be required beyond 2011 according to the relative share for each district in the period 2006-2011. In the course of preparing the policy at least two alternative methodologies had been considered⁶³:
- 3% compound growth of the 2011 total by district
 - in proportion to the share of the outstanding minimum requirement for new dwellings in the district in RSS Policy H1.
- 3.57 The first alternative allocates new provision in proportion to the distribution of pitches in 2011. It therefore incorporates only a limited planning judgement about where provision is most appropriate to the extent that the overall numbers include the planned provision from 2006. The second treats new provision for Gypsies and Travellers as wholly equivalent to new housing development, notwithstanding the differences there might be in the initial distribution of pitches, personal preferences/employment patterns, and how/where delivery is best achieved.
- 3.58 The principle of carrying forward the judgements made for 2006-11 into subsequent years is a sound starting point. Most of the arguments made against this were essentially a repetition of criticisms of the 2006-11 distribution, including the suggestion that this approach would lead to over-provision in some areas and under-provision in areas of demand. At the root of this is whether the wider distribution will be sufficiently attractive to Gypsies and Travellers, which we have already had full regard to. Furthermore our Recommendation 2.3 is intended to provide an appropriate degree of flexibility to respond to the results of monitoring and further work, such as GTAAAs.
- 3.59 The policy is setting a direction beyond 2011 and that should be a planned approach. Although it was also proposed by one participant that re-distribution should not be part of the post 2011 requirement (leading to adoption of the first alternative methodology) so as to avoid future inter-district disputes, we do not accept that this is consistent with the role envisaged for the regional strategy in Circular 01/2006, which should not end in 2011. The need for a regional approach received support from local authorities with very different circumstances, such as Fenland DC and Hertsmere BC, although the latter's support was to the principle and not the outcome of the currently proposed post 2011 distribution.
- 3.60 Fundamental to this argument is whether there are factors which should influence the distribution post 2011 which will not have been taken properly into account in the distribution which has been required for 2006-11. We have adopted a very broad approach to our assessment of whether the proposed provision levels in the draft Policy are correct, which is summarised in the introduction to Chapter 4. This gives us

⁶³ Report to the Regional Planning Panel, 12th December 2007, paras 5.13-5.16 and Appendix C (CD1.11)

confidence that the distribution which emerges in approved Policy should be the basis for plan preparation and future provision beyond 2011 until a coordinated review of the Policy has been completed. There should be greater potential to deliver pitches within major developments post 2011 because of the lead-in time for these projects but this will be only one of the factors affecting decisions after 2011. To some extent these opportunities should be treated as a delivery tool rather than a basis for distribution, and we are mindful of EERA's view, which is supported in the Site Design Guidance, that delivery of pitches can be achieved even within smaller housing developments⁶⁴. When the Policy is reviewed following the production of new coordinated GTAAs there should not be the backlog of unauthorised sites that has been an important starting point for draft Policy H4. The precise impact of that is difficult to predict now but we do not see grounds to abandon the wider distribution approach when planning beyond 2011.

- 3.61 Continuing the wider distribution approach beyond 2011 is a particular concern to some districts asked to provide the minimum 15 pitches, where the locally calculated need might be 0 or very low. For these districts the methodology adopted in the draft Policy requires a further 13 pitches to 2021, whereas if the first alternative were used the requirement would typically be about 6-8 additional pitches (thus 2021 totals of either 28 or 20). On the other hand Fenland DC has proposed that choice, equity and efficiency in the use of land would be achieved by substituting 15 for 13. We do not accept that these concerns are grounds to alter the general approach. The amount of provision sought over a period of 10 years is very small in annual terms and when compared with the amount of general housing to be built in each district. The general position is that the rate of provision beyond 2011 is expected to be less than half (42%) the annual rate in the initial five years. The approach advocated beyond 2011 will support the objectives of providing greater choice to Gypsies and Travellers and achieving more equity between districts which have been relevant in the first period. Furthermore the requirement in these districts will remain much lower than in those with the highest requirements in the region.
- 3.62 There was widespread concern that the implications of the Policy for pitch numbers beyond 2011 are ambiguous and there were examples of different calculations said to be consistent with it. Both GO-East and EERA supported adding a full set of district requirements to 2021 (or to another appropriate date) as additional supporting text. We consider the clarity necessary can be achieved more succinctly by an amendment to the policy wording. We therefore recommend that the Policy states the actual number of additional pitches required region-wide between 2011 and 2021 followed by a statement that "where Local Development Documents look beyond 2011 provision should be made for the same proportion of the regional requirement as in Policy H4 for 2006-11". This is similar to the suggestion made by Cambridgeshire CC and Peterborough City Council.

Recommendation 3.2

Revise Policy H4 to express more clearly how district provision post 2011 is to be calculated, retaining the principle that this should carry forward the 2006-2011 distribution.

⁶⁴ CD2.8, para 3.7

4 SUB-REGIONAL PROVISION

Matters 2 and 3

This chapter provides a detailed testing of the district pitch requirements in draft Policy H4 within each of the county/virtual county groupings. It considers indicators of need from the GTAAs, the Caravan Count and any other local sources, within the context of both constraints and opportunities applicable to each district and compatibility with the East of England Plan. It also touches briefly on longer term issues. The final section brings together our conclusions from this and the two previous chapters to recommend a small increase in residential pitch requirements with minor adjustments to the distribution to increase provision closer to the areas of greatest locally-arising needs.

INTRODUCTION

- 4.1 This chapter provides the opportunity to test in more detail the distribution between districts in draft Policy H4 within the context of the locational principles considered in Chapter 3. It is organised by county or virtual county since this largely reflects the way the GTAAs were organised and how the issues were debated in the Examination.
- 4.2 Our analysis covers the following stages. We have first examined the robustness of the estimates of locally-arising need resulting from the relevant GTAA(s) in terms of their scale and nature, and any additional information provided by participants. Where the locally-arising need has been calculated by applying the formula we have tested whether there is any clear evidence that this might be unreliable because of local circumstances or through unreliability of the Caravan Count data (possible reasons having been previously discussed in paras 2.12 and 2.20).
- 4.3 For those districts or groups of districts where the estimate of locally-arising need has been adjusted to form the policy requirement, we have tested the applicability of the wider distribution strategy as follows:
 - For the three districts where need has been reduced we have considered the implications on social networks and delivery issues, including the scale of current unauthorised development, as well as the district's characteristics.
 - For those districts where the requirement has been increased to a minimum level of 15 pitches we have considered the appropriateness in terms of the district's characteristics and delivery issues.
- 4.4 In those districts where the draft Policy requirement equates to the estimate of locally-arising need, we have considered whether there are any particular circumstances that might suggest an alternative level.
- 4.5 The district characteristics that we have assessed are:
 - size and settlement pattern;
 - existence of environmental and Green Belt constraints with particular reference to the amount of unconstrained land⁶⁵;
 - relationship between pitch requirement and the level of general housing planned⁶⁶. Assuming a relationship with ease of delivery, a level above the regional average might suggest additional challenges, whereas below might suggest the possibility of untapped potential;

⁶⁵ Environmental constraints mapping, note and table, EERA, September 2008 (CD4.27, 4.27A and 4.27B)

⁶⁶ Dwellings to be built 2006-11, EERA, September 2008 (CD4.27C)

- proximity to the areas of highest existing provision in order to take account of the desirability of enabling Gypsies and Travellers with strong local connections to be accommodated close to their existing base.
- 4.6 In assessing the suitability of the requirement in any district we have also had regard to the implications of the RSS generally for the role of the district in the region. This includes Policies SS1-3, SS7 and the Sub-Area policies in the East of England Plan and the relevant policies in the Milton Keynes and South Midlands Sub-Regional Strategy.
- 4.7 GO-East also argued that availability of brownfield land might indicate deliverability options in some districts, particularly as an alternative to using Green Belt land. Although we sought comments on a plan provided by GO-East⁶⁷, we are unable to draw any meaningful conclusions since suitability would depend on site-specific considerations, e.g. reclamation costs and competing uses, beyond the remit of this Examination.
- 4.8 Where we have accepted indicators of locally-arising need greater than was reflected in the GTAA or formula-based estimate for a district or group of districts, this reflects a net increase in regional need which must be added to the policy requirement of 1,187 net additional pitches. Where this additional need arises in a district subject to a minimum 15 pitch requirement, we have referred to this as reducing the "headroom" implied within EERA's wider distribution strategy. We have separately considered whether the requirement for that district should be increased accordingly or whether requirements elsewhere in the region should be increased.
- 4.9 We have compared the result of projecting forward the 2006-11 distribution against any such needs estimates within GTAAs. We have also commented on any particular issues arising in relation to the longer term East of England Plan and where joint working would be beneficial.
- 4.10 We were requested by EERA to make a few adjustments to the figures for authorised provision at the policy start date of 2006. Individual justifications had been provided by the districts concerned⁶⁸, and largely related to inaccuracies in Caravan Count or monitoring data. None of these affected the draft Policy requirement figures. Although we are alert to the possibility that the motivation for lowering its base figure may be to make it easier for a district to meet its future requirement of new pitches, we have no option but to take these adjustments on trust. We also note that in two cases the adjustments increased the base level. All such changes are reflected in our recommended revisions to Policy H4 in Appendix A. They are also asterixed in the tables that follow.

ESSEX, THURROCK AND SOUTHEND-ON-SEA

Calculation of need

- 4.11 The total need in this virtual county has been based on the use of the formula because the original Essex GTAA⁶⁹ was assessed as producing a considerable underestimate. Although there had been some disagreement about this, by the date of the Examination the formula figures had been accepted generally by local authorities as being a

⁶⁷ Previously developed vacant land and buildings at March 2007 by local authority in East of England, GO-East (838/1)

⁶⁸ 2006 Baseline changes EERA have been informed about since development of draft Policy H4 to the Secretary of State, October 2008 (EERA1)

⁶⁹ Looking Back, Moving Forward, Assessing the housing needs of Gypsies and Travellers in Essex, Salford Housing & Urban Studies Unit & University of Salford, undated (CD4.4)

- reasonable starting point for the determination of pitch numbers. During the preparation of the policy EERA had revised its approach by using an average of Count figures for 3 years and a correction had been made to the base figures for Chelmsford⁷⁰.
- 4.12 Some local authorities argue that the pitch requirements should be revised when any new GTAA figures are available. A new GTAA for Essex was in preparation at the time of the Examination and had completed its first stage. The Panel were asked on behalf of Epping Forest DC to accept a copy of this document during the Examination but declined to do so. This request was not supported by the other districts present or by the County Council. The document was incomplete and neither the Panel nor participants other than from the Councils involved had had any chance to look at it. Thus it would not have been fair to have allowed its consideration nor in the light of its incomplete state could it have been grounds to defer the Examination. The draft Policy does refer to the role of updated evidence from new GTAA's and we have dealt with this subject more generally in paras 2.45-2.50.
- 4.13 We have accepted the three corrections to the district 2006 authorised pitch figures made by local authorities and accepted by EERA (see para 4.10). These do not affect the calculations of need, a point confirmed on behalf of Thurrock BC at the Examination, although the total number of pitches at 2011 would be reduced.
- 4.14 Brentwood Gypsy Support Group have criticised the requirement for Brentwood on the grounds that more provision is needed to accommodate those on sites which are unauthorised or have temporary planning permission. These comments are not directed at the formula or the base data used when its outcome is calculated but seem to imply new developments since the base date of the policy. This is relevant to the requirement for Brentwood BC, which is part of the next section.
- 4.15 FFT argues that the figure used from the Thurrock GTAA is too low and therefore at least 3 pitches should be added. The draft Policy has adopted the mid-point found in the Thurrock GTAA, which has resulted in a requirement of 44 as compared to 56 when the formula was used at the Issues and Options stage⁷¹. FFT's case is that the GTAA has underestimated movements from housing, which were not grossed up from the 15% response rate. However this was taken into account in benchmarking, which found that a similar counterbalancing effect might result from the approach to movements into housing from pitches⁷². Overall therefore, and having regard to our conclusion on this issue at the regional level (see para 2.24), the mid point GTAA figure is accepted.

Allocation to districts 2006-2011

- 4.16 The table⁷³ shows the requirement in the draft Policy and how this compares to the calculated need. In nine districts the calculated need has been increased to 15, with a 50% reduction applied in Basildon. Only a small part of the calculated need (18 pitches out of a total of 389) would not be met within the virtual county.

⁷⁰ EERA note on alteration of Chelmsford additional pitch requirements made in September 2007 (CD4.31)

⁷¹ The second benchmarking exercise recommended that to compensate for this there should be a corresponding increase in the other Essex districts (page 5). This appears to have been overtaken by events when the formula estimates were recalculated on average three year Caravan Count data (see paras 2.6 and 2.13 of our report)

⁷² Temporary Consultancy for Various Advice on Gypsy and Traveller Matters, Interim Report, pages 14-16, Pat Niner, Centre for Urban and Regional Studies, University of Birmingham for EERA, 28 August 2007 (CD4.1)

⁷³ All the figures are from CD4.19A, apart from the calculated need, which is from CD4.18 (column G)

	2006 authorised pitches	Calculated need	Draft Policy H4	
			2006-2011 requirement	2011 total provision
Basildon	112*	163	81	193
Braintree	25	16	16	41
Brentwood	10	14	15	25
Castle Point	0	1	15	15
Chelmsford	35	46	46	81
Colchester	5*	8	15	20
Epping Forest	94	49	49	143
Harlow	34	11	15	49
Maldon	39	11	15	54
Rochford	3	9	15	18
Tendring	2	3	15	17
Uttlesford	37	14	15	52
Southend	0	0	15	15
Thurrock	80*	44	44	124
Essex (VC)	476	389	371	847

* Amended from the base figures in draft Policy H4, see para 4.10

Basildon

- 4.17 FFT has endorsed the general accuracy of the Count figures in Basildon but is one of several participants arguing the case for provision that equates with the number of unauthorised pitches (in excess of 100) and preferably meeting the calculated need. The Council and others argue that there should be a fully planned approach and that the presence of a large number of pitches in the district is not a reflection of its suitability such as for employment. From this perspective the scale of provision sought in the draft Policy is regarded as unwarranted. Our attention was drawn to an Inspector's report recording the diverse geographic background of those on the Dale Farm site, who have been there for between 3-5 years and had previously lived in locations such as Hertfordshire, Yorkshire, and Essex, although not just Basildon⁷⁴.
- 4.18 The requirement for a minimum of 81 pitches is arbitrary and is the result of applying an equal adjustment in three districts. Our consideration of this involves assessing whether the outcome represents an appropriate balance of the various competing considerations. The scale of provision sought in Basildon remains very high, when compared with the size of the district and the amount of housing development taking place. This is despite it being a Key Centre for Development and Change. We are also mindful that there is likely to be a significant impact on the Green Belt. Unlike in Cambridgeshire, the wider distribution which is sought is more local and there is the potential for some further distribution within Essex. We therefore recommend reducing provision for 2006-2011 slightly from that proposed to 71 pitches.

Epping Forest and Harlow

- 4.19 These are contrasting adjoining districts. Harlow is urban and surrounded by the Green Belt, which constrains much of Epping Forest DC. All the 34 existing authorised pitches in Harlow are on two local authority sites and the District Council does not

⁷⁴ Secretary of State appeal decision on various sites at Crays Hill, 22 February 2007 (838-2)

oppose the requirement to provide a further 15 pitches. Most of the 94 authorised pitches in Epping Forest in 2006 were on private sites. The strategic review of the Green Belt boundary around Harlow is to provide for substantial development needs up to and beyond 2021. This may provide some potential to make additional Gypsy and Traveller provision contributing to the needs arising in both districts, but is not likely to be relevant in the first phase of the policy.

- 4.20 Epping Forest has a high level of unauthorised development (41 caravans in both the January 2007 and January 2008 Caravan Count). The District Council asserts that the formula-based approach overestimates locally-arising needs because its Gypsy and Traveller population is unusually aged hence with lower household formation rates than elsewhere⁷⁵. Some support for this comes from the local consultation recently undertaken which found that over 30% of respondents saw no need for any new pitches for their families over the next 5 years⁷⁶.
- 4.21 Epping Forest is a mid-sized district but in addition to the constraint of Green Belt this land is also in part overlaid by environmental designations including nature conservation interest of European importance throughout Epping Forest itself. The net area of unconstrained land is fairly low. We also note that the opportunity to provide appropriate new sites is made more difficult by the high concentration of existing pitches in parts of the district, which has been emphasised in representations from Nazeing Parish Council and others. In recommending to the Secretary of State that a temporary consent be given for an existing unauthorised development in the Green Belt, the Inspector accepted that it was “very unlikely that a site within the built-up area would be suitable because of amenity considerations or affordable because of competing urban land uses”⁷⁷. The current position is that the number of additional pitches sought as a proportion of total new dwellings is much higher than for any other district in the region⁷⁸. Accordingly we recommend that the requirement to be met in Epping Forest should be reduced by 10 pitches to 39.

Brentwood

- 4.22 Brentwood is substantially affected by its Green Belt designation and there are sharply conflicting views on whether any locally derived need should be met in the district and, if so, whether the requirement should be increased to accommodate all current occupiers. Count statistics imply that some unauthorised developments have occurred since the base date for information used in preparing the draft Policy. This is bound to occur on occasions and does not necessarily mean that the planning judgements made in the draft Policy are wrong. Indeed it was always likely that there would be additional developments of this kind, especially until provision across the region is increased.
- 4.23 The Council argues that provision beyond the Green Belt should be maximised and that there should be an assessment as to whether Gypsies and Travellers must live locally within the Green Belt rather than elsewhere. It notes that all existing Gypsy and Traveller sites are in the Green Belt, whereas in making the housing allocation in the RSS the Panel’s view was that this would not require the use of land in the Green Belt.

⁷⁵ Epping Forest DC Matter 1A non-participant statement

⁷⁶ Report to Epping Forest District Council: A consultation with Gypsy & Traveller communities regarding the Gypsy & Traveller Development Plan, Figure 5, Myriad, August 2008 (569-1)

⁷⁷ Decision letter on behalf of SoS on land at Holmsfield Nursery, Nazeing, para 75, 13 June 2008 with Inspector's report - 14 December 2007(569-2)

⁷⁸ 6.45% in CD4.27C, as compared to an average of less than 1%. The next highest proportion in the region is about half this level

Brentwood Gypsy Support Group points out that the total loss of Green Belt land if all need were accommodated there would not be large.

- 4.24 On balance we accept that the judgement made in setting a requirement of 15 pitches for Brentwood was correct. It is a fairly high level as compared with total housing development, which militates against any increase. On the other hand the probable local impact is not so significant as to make a reduction. Not meeting the calculated local need would add to the transferred need arising from nearby districts, particularly Basildon. In so far as some of the recently arising need is met elsewhere, the fact that the total calculated need in the virtual county closely balances the level of provision should limit the distance which families have to move in order to obtain alternative accommodation.

Thurrock

- 4.25 A main part of current provision is on three Council sites with a total of 64 pitches. Thurrock Council seeks a reduced level of provision and argues that there should be a greater redistribution. One reason is the scale of provision made for Travelling Showpeople, which is seen to be relevant to achieving a fair and equitable distribution. Although we accept that there are some grounds for assessing these impacts jointly, the underlying requirements and the locational considerations in meeting them have significant differences. Thurrock has made a particularly large contribution to the needs of Travelling Showpeople and in the light of our conclusion in para 6.33 we would not expect this position to be maintained in meeting the emerging requirement. The starting point with respect to accommodation for Gypsies and Travellers is very different because the need is much more widespread, both within the sub-region and outside it, and there is a particularly large need originating in Basildon which the draft Policy must meet. This contrasts with accommodation for Travelling Showpeople which is largely concentrated in Thurrock with low numbers elsewhere.
- 4.26 We have considered the potential availability of brownfield land, which was mentioned by GO-East as being potentially relevant here. While the Council stated that this provides for a high proportion of development needs, we were also told that some sites are subject to flood risk, although in the past that has not always precluded Gypsy and Traveller sites. Thus we are unable to reach definitive conclusions on how much this will contribute. Nevertheless the scale of Gypsy and Traveller provision sought is consistent with Thurrock's role as a Key Centre for Development and Change and in scale with the amount of housing development. The amount of unconstrained land is not especially restrictive, being higher than seven other local planning authorities in Essex. We note that the GTAA recommended that there should be increased provision in south Essex to accommodate local need. This is already part of the draft Policy but there is not a case to increase this further, which would be necessary if provision in Thurrock were to be reduced.

Castle Point, Rochford and Southend-on-Sea

- 4.27 These local authorities are all required to provide 15 pitches under the draft Policy. Only in Rochford is there a significant locally calculated need. The remainder of the requirement derives from the wider distribution of pitches. Southend-on-Sea Council opposes the draft Policy while the other two districts accept it but seek robust evidence beyond 2011. Each of the districts is to a degree constrained, mainly by Green Belt, flood risk, and nature conservation designations. We consider that the area is likely to be attractive to Gypsies and Travellers, as demonstrated for example by the number of

residential pitches in Rochford, including recent permissions, and unauthorised encampments in each district in at least one Count. The scale of provision sought is generally consistent with the rate of housing development. While constraints such as land cost may affect how provision is made in Southend, this is not a unique problem and is not grounds to set aside the case for contributing to regional need, particularly because of the proximity to Basildon.

Chelmsford

- 4.28 In very approximate terms the south-western half of this district is within the Green Belt and the remainder outside it. There is a moderately high number of authorised pitches and the required provision of an additional 46 pitches is one of the larger totals within the county. This is supported by Chelmsford's role as a Key Centre for Development and Change. The Borough Council accepts this figure and argued at the EiP that it was well on the way to meeting this total. It argues that the policy will achieve greater acceptance if provision does not have to be made on exception sites, which appears to be directed both at the development in the Green Belt and rural areas more generally. The amount of provision sought in the district is reasonably balanced with the amount of housing development and therefore consistent with this goal. There are not grounds for increased provision in the district, so that the draft Policy total is supported.

Maldon and Tendring

- 4.29 These districts both have a large area of unconstrained land. Both are required to provide 15 pitches, considerably above the calculated need in Tendring and slightly so in Maldon. Existing provision is much greater in Maldon, including 26 pitches on Council sites. A recent increase in the number of residential caravans in Tendring shows that the area is potentially attractive to Gypsies and Travellers and supports the principles underlying the wider distribution. Whereas Tendring DC agrees with the draft Policy, Maldon DC has argued that there is no demand in its area and that past provision has been adequate. The claim of an absence of demand is not consistent with the increase in the number of caravans in the district in recent years and the additional requirement to support the wider distribution of need is only 4 pitches.
- 4.30 We have also considered whether there is a case for seeking additional provision in these districts but have concluded that would not be justified. Whereas Maldon is close to those parts of the county where the provision sought is highest, 15 pitches is significantly above average as a proportion of all housing development. In the case of Tendring the situation is more typical, but the district is further from the main areas of need and is already providing 12 pitches in excess of the calculated need. Therefore no change is recommended to the level of provision in these districts.

Uttlesford, Braintree and Colchester

- 4.31 These three districts are to provide 15 or 16 pitches under the draft Policy. This is both to accommodate calculated local need and for two of the districts to contribute to wider regional needs, amounting to one pitch in the case of Uttlesford and seven from Colchester. The representation from these districts does not dispute the current allocation but resists any increase on the basis that Green Belt should not be an influence on the regional distribution, and that comparison with the number of dwellings to be built shows the requirement in any district to be insignificant, such as in terms of Green Belt impact. Each of these districts is large, with a substantial unconstrained area, and a reasonable level of opportunity indicated by total housing

development, especially in Colchester which is identified as a Key Centre for Development and Change.

- 4.32 In our view each of these districts is well-situated in relation to needs to be met in both Essex, and in the west from Cambridgeshire, to accommodate slightly increased provision, thereby reducing the concentration on areas of highest existing provision in the current virtual county distribution, and achieving greater balance with housing potential. We therefore recommend increased provision by 10 pitches in Uttlesford and 5 in both Colchester and Braintree to contribute towards this and facilitate delivery.

Beyond 2011

- 4.33 The Thurrock GTAA includes an estimate of need beyond 2011 but this is based on applying the 3% family formation rate annually but assuming that only 70% of new families will require a pitch. We have seen no justification for this approach and therefore consider the approach in the draft Policy to be more robust.
- 4.34 It is possible that some of Harlow's longer-term expansion may take place in Epping Forest. If this were the case, any strategic review of the Green Belt boundary in accordance with Policy SS7 will provide some potential to make additional Gypsy and Traveller provision, which could fulfil the needs arising in both districts. Joint working will clearly be necessary to achieve this.

Recommendation 4.1

Reduce the pitch requirement for Basildon by 10 to 71.

Recommendation 4.2

Reduce the pitch requirement for Epping Forest by 10 to 39.

Recommendation 4.3

Increase the pitch requirement for Braintree by 5 to 21.

Recommendation 4.4

Increase the pitch requirement for Colchester by 5 to 20.

Recommendation 4.5

Increase the pitch requirement for Uttlesford by 10 to 25.

HERTFORDSHIRE

Calculation of need

- 4.35 The two GTAA's covering Hertfordshire were both deemed not to give robust estimates of locally-arising need in the benchmarking exercise, but for very different reasons. EERA therefore used the formula to estimate need in all these districts.
- 4.36 That covering South and West Hertfordshire (Dacorum, Hertsmere, St Albans, Three Rivers, Watford) was the only GTAA in the region assessed to give an overestimate: this being due to the possibility of double counting site waiting list applicants also

included in GTAA estimates for other areas⁷⁹. The waiting list element comprised 40-50 families out of the total needs estimate for South and West Hertfordshire of 125⁸⁰. On the other hand the formula estimate of 70 pitches can be interpreted as only just covering the following elements:

- family formation (30 pitches);
- families on unauthorised sites (35 pitches); and
- families interviewed on the roadside or on the South Mimms transit site who wanted a local residential site (5 pitches).

4.37 Hence there appears to be no allowance for overcrowding (in the GTAA said to affect up to 50% of families), and no allowance for needs expressed via waiting lists. We note that of these waiting list applicants 19 had contact addresses outside the South and West Hertfordshire study area including in London, Luton, and Chelmsford. A further 21 with no address details were thought by Hertfordshire CC officers to be actively travelling with no known links to local sites. If nothing else this is an indicator of mobility.

4.38 GO-East also provided evidence of some needs being dispersed across the region after enforcement activity in 2005 and 2006 against two unauthorised developments in Hertsmeare and Dacorum⁸¹. The effect of strict enforcement procedures throughout Hertfordshire may also indicate that the Caravan Count figures for unauthorised developments, and hence the estimate of need resulting from the formula may be underestimated.

4.39 The Northern and Eastern Hertfordshire GTAA (covering Broxbourne, Eastern Hertfordshire, North Hertfordshire, Stevenage, Welwyn Hatfield) was considered to underestimate needs due to the lack of any allowance for unauthorised development⁸². Locally arising needs of 35 were estimated on the basis of future household formation (15 pitches) and an allowance for waiting list applicants from outside Hertfordshire (20 pitches). It is not clear why this approach was found acceptable here but rejected in South and West Hertfordshire. No allowance was made for those on unauthorised encampments seeking residential pitches, indeed only one person from such accommodation was interviewed, and no allowance was made for overcrowding on the assumption that such households could redistribute to larger pitches.

4.40 The formula approach increased the estimate of locally-arising needs to 45 (an increase of 10). We note that the number of caravans on unauthorised developments at the time of the survey work in July 2006 was actually 14.

4.41 FFT argue the existence of additional local need in two parts of the county both of which would imply underrecording in the Caravan Count. FFT's first case is made on the basis of an interview with a Gypsy professional brought up here, suggesting that there are about 47 families who live on long established sites and yards in the Three

⁷⁹ Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies, Table A3.2 pages 86-87, CLG in partnership with GO-East and EERA/SEERA/SWRA, March 07 (CD2.1)

⁸⁰ CD2.1 says 50, but the GTAA itself says 40 after allowing for possible double counting with new households and plot vacancies, pages 59 and 89

⁸¹ At least 4 appellants in a Secretary of State appeal decision on various sites at Crays Hill, 22 February 2007 gave their previous location as either of these developments in South and West Herts (838-2). GO-East also noted anecdotal evidence of some relocation to Cottenham in Cambridgeshire

⁸² CD2.1, pages 84-85

Rivers/Watford area⁸³ for which no estimate of household growth has been made. Their second case on the basis of personal contact is that there are 9 additional Gypsy and Traveller families seeking their own site in Broxbourne. These families are said to be currently "squatting" unnoticed on private sites and none of them has ever been interviewed.

- 4.42 Neither we nor any local authority participant had any way of substantiating this information. However the first case lends weight to our concern that the formula estimate for the districts in south and west Hertfordshire barely covers the level of local need assessed in that GTAA. We therefore consider that there are grounds for thinking that the formula has underestimated local needs in the Three Rivers area and we recommend adding 10 pitches to the regional requirement. Elsewhere in Hertfordshire the formula-based estimates should be considered to represent a bare minimum.

Appropriateness of Hertfordshire pitch requirements

- 4.43 The total provision proposed in Hertfordshire for 2006-11 as a whole is 53% above the formula based estimates. This results from a minimum allocation of 15 pitches per district being applied to six of the 10 districts (three in each of the GTAA areas). The draft Policy approach gave rise to the largest volume of objection (including several large petitions) from residents in the settled community of any part of the region at the submission draft representations stage.
- 4.44 All but one of the Hertfordshire districts together with the County Council argued for a policy of meeting needs where they arose rather than a wider distribution throughout the region. The Northern and Eastern Hertfordshire Partnership of authorities emphasised the comment by the President of The Gypsy Council (Romani Kris) that forcing Gypsies into areas where they do not want to be is tantamount to social suicide and a complete waste of time and public money⁸⁴. We were not able to test the relevance of this remark to the draft Policy approach as Romani Kris were unable to send a representative to any of our debates despite being invited. We note however that Romani Kris's reference to social suicide in their representations on the draft Policy was linked to their more general advice that "sites in isolated locations do not work".
- 4.45 We accept Hertfordshire CC's point that there has been no consultation with Gypsies and Travellers in those districts where locally-arising needs would not be met in full, but we were able to explore the practicalities of redistribution during our debates. This revealed the multiplicity of reasons for individual moves, the traditional mobility within the Gypsy and Traveller communities, and the possibility of some "ripple out" from these areas. We do not accept that there are insoluble barriers preventing EERA's approach from being delivered, and there was clearly support for a wider choice of locations to be available from Gypsy and Traveller groups such as Justice for Travellers.
- 4.46 Another frequent argument was that some areas in Hertfordshire were away from any traditional routes travelled by Gypsies and Travellers. We could find very little written evidence about patterns of movement, but from discussions about changing business

⁸³ On the basis of other comments made by FFT we assume that for practical purposes these Gypsies and Travellers would be located in the semi-rural surroundings of Three Rivers district rather than in the urban area of Watford

⁸⁴ Fax from the President of Romani Kris to Dr R Davidson, January 2008, Appendix A to Northern and Eastern Hertfordshire Partnership Matter 2B statement

practices and greater all round mobility, we believe that no parts of the region should be considered as unsuitable for additional pitch provision.

4.47 In considering individual districts below we have tested whether there is any scope for rebalancing requirements within the county. Both GTAA's acknowledged that needs arising in one district within their study area could be met in another^{85 86}. Any wider consideration of rebalancing had until the Examination been hampered by work and working arrangements being split into two separate GTAA areas. Equity is also acknowledged as a factor in so far as some authorities do not currently provide any public sites⁸⁷.

4.48 A few local authorities sought to use information from subsequent site identification stages as reasons for reducing their pitch requirements. As we made clear at our Preliminary Meeting it is not appropriate for us to take site-specific information into account in testing an RSS policy. Nevertheless we note EERA's recollection of there being at least one high potential location and several of medium potential identified in all or nearly all of these districts.

Allocation to districts 2006-2011

4.49 The provision required in the draft Policy is set out in the table. The calculated need is that used by EERA and does not take account of our conclusion increasing need by 10 pitches in the Three Rivers area.

	2006 authorised pitches	Calculated need	Draft Policy H4	
			2006-2011 requirement	2011 total provision
Broxbourne	22	18	18	40
Dacorum	36	12	15	51
East Herts	7	3	15	22
Hertsmere	35	18	18	53
North Herts	6	1	15	21
St Albans	52	33	33	85
Stevenage	14	7	15	29
Three Rivers	11	2	15	26
Watford	10	4	15	25
Welwyn Hatfield	51	17	17	68
Hertfordshire	244	115	176	420

South and West Hertfordshire

Three Rivers

4.50 This district has few unauthorised entries in the Caravan Count over the last three years apart from two caravans on unauthorised developments. The current Policy requirement includes a large increase from 2 to 15 to support the wider distribution. However this would be largely taken up by the higher level of local need that we have accepted above. This weakens the District Council's arguments against the draft Policy

⁸⁵ South and West Hertfordshire GTAA, paras 7.36, 8.13, Centre for Urban and Regional Studies, April 2005 (CD4.7)

⁸⁶ Northern and Eastern Hertfordshire GTAA, paras 9.57-58, Opinion Research Services, 2006 (CD4.6)

⁸⁷ CD4.6, para 49

allocation, as does the GTAA recommendation that "all Partner districts should provide sites, including Three Rivers which currently has less provision than other districts" (GTAA para 8.13).

- 4.51 Neither however do we see a case for increasing its pitch requirement given that it is a modest sized district, within the Green Belt which is not covered by any policy requirement for a strategic review. It has only a small amount of unconstrained land. The proposed pitch level already represents a higher percentage of planned housing level than in most parts of the region.

Watford

- 4.52 The increase to support a wider distribution of pitches is from 4 to 15. The local need is likely to be associated with its public sector site, and no unauthorised activity has been recorded over recent years. Watford is the smallest authority area and has the smallest amount of non built-up and unconstrained land in the region. No strategic review of its Green Belt is required and its planned housing growth is modest. We also accept the argument made by both Watford BC and adjoining Three Rivers DC that their combined area is less than a quarter of several of the larger more rural districts in the region. For all these reasons we recommend that its pitch requirement should be reduced to 10.

Dacorum

- 4.53 This district has virtually no recorded unauthorised activity over the last three years, although GO-East mentioned enforcement action at one unauthorised development. The GTAA notes that Dacorum experienced the highest number of unauthorised encampments within the study area between 1998 and early 2004 (para S.11). The District Council argued for a halving of its requirements on the basis of its recent work on Supplementary Site Allocations (covering all forms of housing need) 2031. However in view of the size of this district and the amount of its unconstrained land in relation to its neighbours, and that its pitch requirement is a relatively small proportion of its planned housing growth, we consider that it has potential to contribute to a slightly greater extent to wider needs than the 3 pitches currently implied. We therefore recommend an increase in its requirement to 20. Not all of this need necessarily be provided in proximity to Hemel Hempstead as the District Council's statement appears to suggest, as there are other moderately sized settlements in the district.

St Albans

- 4.54 A large volume of original representations on the draft Policy, including petitions, objected to this district having the highest level of pitch requirement in the county as a result of having proactively provided more pitches in the past. The District Council seek a redistribution to nearby local authorities in western and central Hertfordshire. A small number of caravans on unauthorised encampments were recorded in the recent Count, and Colney Heath Parish Council speak of organising enforcement action. The district is larger than its southern neighbours but has a relatively small amount of unconstrained land. The District Council point to the fragility of its Green Belt and the risk of settlement coalescence. The proposed pitch provision represents a higher percentage of planned housing levels than most districts although this is before the planned expansion of Hemel Hempstead and Hatfield which may impinge on St Albans is taken into account. Overall we recommend that its pitch requirement is reduced to 28.

Hertsmere

4.55 This district has a relatively small and reducing number of caravans recorded on unauthorised developments over the last three years. The District Council accepts the draft Policy pitch requirement even though it may mean minor Green Belt adjustments. We see no reasons for adjusting this level which reflects the formula-based assessment of local need. However we note the likely challenges given that most of its area is constrained mainly by Green Belt and that this level of pitch provision represents a higher than average percentage of planned housing.

Northern and Eastern Hertfordshire

Stevenage

4.56 No unauthorised activity has been recorded over the last three years in the Caravan Count or from Hotline data since 2000. The District Council objects to the extent of redistribution implied in the draft Policy (8 pitches), reinforced by a high volume of representations from its residents. Stevenage is the second smallest district in the region with 90% of its land urbanised or allocated⁸⁸. Stevenage has a high level of planned housing growth, and although there is an ongoing strategic review of the Green Belt in the Stevenage and North Hertfordshire Action Plan area, much of the effect is likely to be in this neighbouring district because Stevenage's urban area is so tightly hemmed in by its boundaries. We also note that the planned layout of Stevenage and its relatively young building stock reduce the likelihood of brownfield opportunities being available for pitch provision. We therefore consider that there is a case for reducing its requirement to 10, and recommend accordingly.

North Hertfordshire

4.57 No unauthorised caravans have been recorded over the last three years either from the Caravan Count or Hotline, and there have apparently been no recent planning applications. It has no existing public provision. The District Council objects to the extent of redistribution implied in the draft Policy (14 pitches), reinforced by a high volume of representations from its residents. This is a mid sized district and its amount of unconstrained land is the second highest in the county. Although it has several medium sized settlements, it has only a modest level of growth apart from the Stevenage West extension. It adjoins South Cambridgeshire, one of the areas where we have accepted arguments for not meeting all the locally-arising need. We consider its requirement to be reasonable.

East Hertfordshire

4.58 Despite low levels of unauthorised activity in the Caravan Count data, the GTAA notes from Hotline data that the district "does have a quite significant history of short term unauthorised developments and encampments"(para 2.25). It has no existing public provision. The District Council objects to the extent of redistribution implied in the draft Policy (12 pitches), reinforced by a high volume of representations from its residents. However it is a large district with a high level of unconstrained land. Its pitch requirement is a low proportion of its planned housing levels, and it has several medium sized settlements.

⁸⁸ The District Council provided details of the likely uses of its residual rural areas around its periphery together with maps

4.59 On the basis that it has the highest amount of non Green Belt land in Hertfordshire, there is an argument that East Hertfordshire is well placed to accommodate some of the local need arising in the smaller Hertfordshire local authority areas entirely within the Green Belt. We do not subscribe to this argument however, and believe that Hertfordshire authorities should generally meet their own locally-arising needs. In relation to regional needs we note that parts of the district are also within the same transport corridor (A10) as South Cambridgeshire, one of the areas where we have accepted arguments for not meeting all the local need. East Hertfordshire also adjoins Stevenage where we have accepted the case for a small reduction. We therefore conclude that not only is the implied level of redistribution appropriate, but that East Hertfordshire should be capable of providing a slightly higher pitch provision to contribute to regional needs. We recommend that its requirement is increased to 20.

Welwyn Hatfield

4.60 Despite no unauthorised camping recorded in the Caravan Count over the last three years, the GTAA notes from Hotline that there has been more unauthorised developments or encampments here over the longer term than in any of the other four local authority areas in Northern and Eastern Hertfordshire (para 2.32). The District Council argued the case for redistributing some of their needs into adjoining East Hertfordshire. This is a modest sized authority with a relatively small amount of unconstrained land. However a strategic Green Belt review will be needed to accommodate an expansion of Hatfield, and its pitch provision level is not large in proportion to its planned housing levels. We see no reason for adjusting the draft Policy requirement which equates to the formula estimate of local needs.

Broxbourne

4.61 This district has the highest level of unauthorised developments in the county as recorded in the Caravan Count data (25 caravans at January 2007, and similar at January 2008). It has some former plotlands and former areas of leisure use in the Lee Valley which have been purchased by Gypsies and Travellers. This is a small authority with a small amount of unconstrained land. Its pitch requirement is a higher than average proportion of its relatively modest planned housing growth. However we consider that the draft Policy requirement which is based on assessed local needs, is appropriate. Although we have not made any adjustment on the basis of FFT's information, we note that the Policy figures are expressed as minima.

Conclusions on Hertfordshire districts

4.62 Our recommended adjustment to individual district requirements largely represents a rebalancing within the county. However the net balance of these adjustments, together with the effect of accepting a higher level of local needs, means that there is less headroom to accommodate redistributed needs arising elsewhere in the region. We consider that this new pitch requirement is appropriate for Hertfordshire, given the proportionate extent of Green Belt within the county. We have allowed in our recommendations elsewhere in this sub-regional chapter for an element of previously redistributed needs to be met closer to the two Cambridgeshire districts with the highest existing provision.

Beyond 2011

4.63 Joint working could assist in meeting longer term provision for Gypsies and Travellers in several parts of this county. Opportunities may arise from any adjustment of Green Belts boundaries to accommodate development needs involving:

- Dacorum and St Albans in respect of Hemel Hempstead, although the latter District Council is anxious to avoid concentrating pitches in the Redbourn area;
- Welwyn Hatfield and possibly St Albans, in respect of Hatfield, although the latter District Council is anxious to avoid concentrating pitches in the Colney Heath area;
- Stevenage and North Hertfordshire;
- Harlow and possibly East Hertfordshire.

4.64 Given its tight boundaries, joint working between Watford and its neighbouring authorities may also be beneficial.

Recommendation 4.6

Increase the regional pitch provision by 10 to allow for higher local needs than expressed through the formula approach.

Recommendation 4.7

Decrease the pitch requirement for Watford by 5 to 10.

Recommendation 4.8

Increase the pitch requirement for Dacorum by 5 to 20, and reduce that for St Albans by 5 to 28.

Recommendation 4.9

Decrease the pitch requirement for Stevenage by 5 to 10, and increase the pitch requirement for East Hertfordshire by 5 to 20.

CAMBRIDGESHIRE AND PETERBOROUGH

Calculation of need

4.65 EERA has accepted as broadly robust the assessment of need made in the Sub-Region's GTAA⁸⁹. This produced a range for each district, from which a mid-point has been used, apart from Cambridge City, where there was a fixed figure of 15. The overall total is similar to that which would have resulted from applying the formula, although the distribution between districts would have been noticeably different.

4.66 About half the total need in the GTAA total is derived from unauthorised caravans, with the balance from family formation, an overcrowding allowance, and estimated transfers from housing (Figure 14, page 33). The GTAA notes the vast difference between districts in how caravan numbers have changed over time, with some reducing and others increasing considerably (Figure 113, page 32).

4.67 There are two principal challenges to these figures. FFT criticises the total for Peterborough and seeks additional provision there. It relies on comments made in an

⁸⁹ Cambridge sub-region GTAA, Anglia Ruskin Uni & Bucks Chiltern Uni college, May 2006 (CD4.10)

appeal decision which expressed concerns about the accuracy of the local Count and some of the assumptions in the GTAA. Although we do not find the general comments made about the GTAA convincing when evaluated against the overall benchmarking⁹⁰, we accept that there are concerns about the scale of provision sought in the district. One reason for this is the particular reservations about the reliability of the base Count information. This is considered further below.

- 4.68 The second main area of concern is whether the overall need calculated in the GTAA should be accepted as also including transit provision. Although the GTAA claims to include transit provision, the indications of the methodology used do not support this⁹¹. Furthermore the benchmarking was carried out on the basis that the totals were a requirement for residential provision and this assumption was fundamental to the conclusion that the GTAA was sound. FFT's comments in relation to Peterborough are a further reason not to accept any reduction of the base need below that found in the GTAA.

Allocation to districts 2006-2011

- 4.69 The table⁹² summarises the figures used in the draft Policy. For Peterborough, the draft Policy has applied the 15 minimum. In Fenland and South Cambridgeshire the GTAA need has been reduced by 50% as part of the wider distribution approach.

	2006 authorised pitches	GTAA need (mid-point)	Draft Policy H4	
			2006-2011 requirement	2011 total provision
Cambridge	0	15	15	15
East Cambs	59*	35	35	94
Fenland	183	180	89	272
Huntingdonshire	20	20	20	40
South Cambs	203*	120	59	262
Peterborough	95	13	15	110
Cambridgeshire (VC)	560	383	233	793

* Amended from the base figures in draft Policy H4, see para 4.10

Fenland

- 4.70 The GTAA notes a very rapid increase in caravan numbers from the late 1990s. Many Gypsies and Travellers are said to have an agricultural background but there has also been a recent decline in this source of work. Relatively cheap land and an established local Gypsy and Traveller population are mentioned as reasons for the recent growth. The GTAA suggests that in view of the large numbers already present, provision could be shared with other districts.
- 4.71 The draft Policy would make a substantial distribution away from Fenland but the provision required remains the highest in the region, which the Council has not opposed. This is a rural district and a high level of provision is sought in relation to the opportunity provided by housing development (the second highest proportion in the

⁹⁰ CD2.1, pages 80-81

⁹¹ The GTAA averaged January and June Count figures, thereby not using the maximum level, and made a reduction for those on unauthorised encampments not seeking accommodation in the area, who ought to be part of transit needs

⁹² All the figures in the table are from CD4.19A, apart from the GTAA need, which is from CD4.18 (column E)

region). Although this is a large district a significant proportion of the area is affected by flood risk. The scale of distribution does not appear to pose exceptional problems when compared with the number of unauthorised caravans on land owned by Gypsies and Travellers. The requirement in the plan represents a reasonable balance.

South Cambridgeshire

- 4.72 As for Fenland, there is a substantial distribution away from South Cambridgeshire in the draft Policy. The GTAA confirms that the increase in the number of Gypsy and Traveller pitches in the district has been relatively recent. Reasons given include the attractiveness of the Cambridge area and the tendency of Gypsies and Travellers to group together where there were existing occupiers. In 2006 this was one of the two districts with the largest number of caravans on unauthorised sites owned by Gypsies and Travellers (67 at January 2008). Rapid growth means that some Gypsies and Travellers have moved into the area recently and their local connections prior to that may have been slight⁹³.
- 4.73 This is a large district with a substantial area of unconstrained land beyond the Cambridge Green Belt. It also has a relatively high level of housing growth, although Cambridge is the only established main settlement. Thus we consider there is reasonable opportunity to accommodate the required provision despite criticism by Longstanton Parish Council of the proportion of the regional requirement which has to be met here.
- 4.74 The contrary view is that the degree of distribution is excessive, having regard to the preferences of those Gypsies and Travellers who have settled here and the planning consequences in those areas where increased provision is sought. Recent practice in the district has been to grant temporary planning permissions, with the intention of reviewing where permanent provision should be made through a site allocations DPD. Circular 01/2006 advises that temporary permissions may be appropriate when there is an expectation that planning circumstances will change in a particular way at the end of the period. The current position is that the number of permanent and temporary pitches exceeds the Policy number.
- 4.75 There is a difficult balance to draw here, since those seeking permanent sites will have different degrees of connection with the locality but regional policy is setting overall numbers. We note that the GTAA recorded that a third of those occupying unauthorised caravans who were surveyed had been at that location for less than a year (page 83). The Council pointed out that the draft Policy gives a minimum number per district but that this may be exceeded, so that there is the potential flexibility to recognise individual circumstances. One reason for these pressures is that Circular 01/2006 is seeking to move towards a planned approach to provision when there is a backlog of need. These difficulties will only be resolved when the timing of policy and implementation is looking forward rather than making up for past omissions. On balance we accept that it would be reasonable to make a slightly higher level of provision in the district in the period to 2011 and therefore recommend increasing the requirement by 10 to 69 pitches.

⁹³ Inspector's Report on Land off Water Lane, Cottenham paragraphs 14.76 and 14.78 with Secretary of State Decision letter 11 March 2005 (584-1)

East Cambridgeshire

4.76 The requirement in the Policy for 35 pitches is fairly substantial. The Council accepts this but opposes any increase, one reason being that distribution might damage the current harmonious integration of Gypsies and Travellers. This is a large district with a substantial unconstrained area but only a moderate level of housing growth. Despite the proximity to both South Cambridgeshire and Fenland we accept that the draft Policy requirement appears reasonable.

Huntingdonshire

4.77 This is a large district with a similarly large area of unconstrained land where the number of caravan pitches has changed very little over a long period. There is a low level of existing provision, entirely on the RSL run site at St Neots. The additional requirement is relatively modest in relation to the scale of housing growth. The Council opposes any increase, noting that this derives from a robust GTAA. However we note that the GTAA commented that the need found was low and that Huntingdonshire could contribute proportionately more within the study area, which is not part of the draft Policy (page 76). The attractiveness of the area is confirmed by the waiting list for the St Neots site, which is said by the Council to be popular. Thus we recommend a small increase from 20 to 25 to increase local opportunity in an area convenient to sub-regional need.

Peterborough

4.78 The number of pitches in Peterborough has been relatively static and the GTAA noted that a tough policy on unauthorised caravans had kept those numbers low. We have previously noted particular concerns about the base Count data in this district, which may have contributed to the low requirement in the GTAA. The City Council supports its proposed level of 15 pitches but is cautious about any increases in part recognising difficulties in land purchase due to hope values generated by its growth area status. The Council also advised us that the degree of flooding constraint may be greater than previously envisaged⁹⁴. Notwithstanding this, the comments in the GTAA about a more even distribution also apply here. It is a Key Centre for Development and Change and there is to be substantial housing development in the City. The amount of provision sought is the lowest in the region in proportion to this and the district is well-placed to meet sub-regional needs. It would be reasonable to increase Gypsy and Traveller provision from 15 to 30 pitches, and we recommend accordingly.

Cambridge

4.79 This is a constrained urban authority within the Green Belt. The City Council does not oppose the requirement to provide for 15 pitches but regards this as challenging. It also questions whether Gypsies and Travellers would want to live in Cambridge as opposed to more “traditional locations”, but we are aware there are already sites very close to the City, suggesting that it is a popular location. Considerable development is taking place here on land released from the Green Belt in 2006. Although the GTAA contained a need for 15 pitches, this seems to have been envisaged for transit provision. Given the considerable need in the County we agree the Policy proposal to make a small residential allocation but there are not grounds for an increase.

⁹⁴ Environment Agency flood risk map 2008 for Peterborough, Peterborough City Council (839-1)

Beyond 2011

4.80 We note that Cambridge City Council has expressed concern about the considerable development pressures in the City competing for scarce land, the constraint of the Green Belt, and whether there would be sufficient grounds to make an allocation in the Green Belt given the opportunity beyond it. Joint working with adjoining authorities is likely to be appropriate when considering longer term needs. Peterborough City Council appeared optimistic that some Gypsy and Traveller accommodation post 2011 might be associated with two sustainable urban extensions which are currently at preferred options stage.

Recommendation 4.10

Increase the pitch requirement for South Cambridgeshire by 10 to 69.

Recommendation 4.11

Increase the pitch requirement for Huntingdonshire by 5 to 25.

Recommendation 4.12

Increase the pitch requirement for Peterborough by 15 to 30.

NORFOLK

Calculation of need

- 4.81 There are three GTAAs covering this county. That for the whole county⁹⁵ was deemed not to be robust in the second benchmarking exercise⁹⁶. It was considered to underestimate needs because they were derived solely from the number of unauthorised caravans (both developments and encampments) over the average winter Caravan Count (1.5 caravans/pitch). The formula was therefore used by EERA for the five districts not covered by the other GTAAs below but this produced results only marginally above the GTAA (94 pitches against 92 from the GTAA). However as a result of rising caravan numbers in Norfolk over the 2005-07 period, we note that using the formula with average January 2006 and January 2007 figures gives a requirement for 105 pitches (as calculated in the second benchmarking study).
- 4.82 The needs assessment for South Norfolk comes from its own GTAA⁹⁷. The first benchmarking study was uncertain about its robustness because of a lack of detail, but the second considered that it might be an overestimate. However the use of a mid-point from the GTAA results was eventually maintained at the request of the local authority.
- 4.83 The needs assessment for the remaining district (Kings Lynn and West Norfolk) comes from the mid-point estimate in the Cambridge Sub-Region GTAA, which was accepted as broadly robust in the first benchmarking exercise (see para 4.65).
- 4.84 The main challenge to these figures is that they may not fully reflect local needs, particularly in respect of New Travellers outside South Norfolk. Although New Travellers were interviewed in the county-wide GTAA with some commentary on movement patterns, their needs would not be fully included in the GTAA or formula

⁹⁵ Norfolk GTAA, Gypsy and Traveller Liaison Group, July 2007 (CD4.12)

⁹⁶ CD4.1, pages 6-7

⁹⁷ South Norfolk Findings on Gypsy and Traveller Accommodation Needs Survey, July 2006 (CD4.13)

estimates both of which were derived from the Caravan Count data in which New Travellers have only recently been included. There is evidence for their presence in one additional district besides South Norfolk, namely Broadland. This comes from local investigations carried out by Broadland DC in 2006 based on their own records of unauthorised sites 2000-06. New Travellers are thought to over-winter in Broadland because unauthorised encampment data is generally higher in winter than summer. There are suggestions of movement between Broadland and other districts particularly South Norfolk⁹⁸. We accept the midpoint of Broadland DC's estimated need of 8-10 "pitches" (see para 7.24) to accommodate New Travellers, and recommend adding 9 pitches to the regional requirement.

- 4.85 Personal knowledge was used by FFT to suggest that New Travellers were quite extensive across rural East Anglia, and that the situation discovered in Broadland could easily be replicated in other districts if more local work were undertaken. While that may be so, we have restricted our recommendations on additional need to those areas supported by existing data (see also para 4.108).
- 4.86 There is also some evidence on mobility within the Gypsy and Traveller communities from the Norfolk GTAA. Indeed 10% of its 81 respondents would like to live elsewhere in Norfolk, and 80% elsewhere in East Anglia (para 8, page 3). Four of the 30 respondents in the South Norfolk GTAA indicated a preference for another part of Norfolk or East Anglia.

Flexibility in interpreting policy figures

- 4.87 A key factor in assessing demands in Norfolk is the high degree of seasonality evident from the Caravan Count data. Norfolk attracts sizeable numbers of Gypsies and Travellers who visited the county in summer for a holiday, for festivals or pilgrimages (such as to Walsingham) or visiting friends and family. Although our assessment of transit needs is given in Chapter 5, several local authorities contend that it is difficult to differentiate between the need for residential pitches and more transient needs. They also point out that the GTAA suggested that its total could include an element of temporary pitches. However this distinction is probably academic given that there were so many missing elements of residential need in the GTAA such as household growth and overcrowding.
- 4.88 While it may be appropriate when planning site provision to consider these needs together, if local authorities had discretion to interpret the figures in draft Policy H4 in whatever way they thought best, it would leave a deficit in the overall provision of residential pitches at the regional level. The implication of finding extra local need is that there is less headroom in the figures to accommodate diverted needs than when the policy was formulated. We therefore disagree with the suggestion by Broadland DC and others that the word "residential" should be deleted from the pitch requirements in draft Policy H4.

Appropriateness of district figures 2006-2011

- 4.89 The table shows the requirement in draft Policy H4 and how this compares to the calculated or assessed need. In five districts the Policy requirement has been increased to 15; the resulting total of 75 pitches is 257% higher than the assessed local need using the formula approach (21). We have already broadly accepted the principle of a wider

⁹⁸ Broadland DC Matter 2D statement, Appendix 1, paras 2.7, 7.9

distribution (see paras 3.15-3.55) but there are two issues that we need to explore in testing its local applicability here:

- whether the characteristics of these districts around the north east fringes of the region would be attractive to Gypsies and Travellers in terms of access to employment and urban centres if pitches were provided;
- whether there are any district-specific opportunities or constraints that might suggest the scope or need for local adjustment.

	2006 authorised pitches	Calculated or GTAA need	Draft Policy H4	
			2006-2011 requirement	2011 total provision
Breckland	32	13	15	47
Broadland	2	0	15	17
Great Yarmouth	4	2	15	19
Kings Lynn & West Norfolk	93	53	53	146
North Norfolk	1	0	15	16
Norwich	18	6	15	33
South Norfolk	25	18*	28	53
Norfolk	175	92	156	331

* Formula estimate later changed to the district GTAA estimate at the request of South Norfolk DC

Breckland

4.90 This district has the second largest community of Gypsies and Travellers in Norfolk. The Caravan Count indicates a small amount of unauthorised development as well as encampments. It is a large district with sizeable amounts of unconstrained land. Proposed pitch provision is a relatively low proportion of its planned housing levels. However most of its new housing is focused in Thetford (a Key Centre for Development and Change), which is within an extensive area of international nature conservation importance. The remainder of the district is largely rural. We see no reason for adjusting the proposed pitch requirement which almost equates to the formula estimate of local needs.

Broadland

4.91 Despite initial reservations, the District Council now accepts the 15 pitch minimum as a reflection of local need based on its own investigations, but only if it can be implemented as a mix of residential and temporary stopping places. We have already refuted this suggestion for the reasons given above. Evidence from the Council's records of unauthorised encampments indicates that the Gypsy and Traveller community, and not just New Travellers, "both resorts to and resides in the district in increasing numbers. There is no reason to believe that that will slacken off."⁹⁹

4.92 This is a large district with a substantial amount of unconstrained land. Although its pitch requirement is a relatively low proportion of its planned housing levels, this is a largely rural district with most new housing focused around the Norwich fringes. We therefore consider that its draft Policy requirement is appropriate.

⁹⁹ Broadland DC Matter 2D statement, Appendix 1 para 8.3

Great Yarmouth

4.93 The draft Policy requirement includes a large increase from 2 to 15 pitches. There are already proposals for an additional 5 residential pitches in this district through the extension of an existing site. The Borough Council would "cautiously accept" an allocation of 10 pitches but is not convinced by the evidence for 15. This is a modest sized district, with the lowest level of unconstrained land in Norfolk outside Norwich. On the other hand it is a Key Centre of Development and Change and its pitch level as a proportion of its planned housing level is at the regional average. To support the wider distribution strategy we consider the requirement to be appropriate.

North Norfolk

4.94 This district has only one authorised pitch and a calculated need of zero. The District Council strongly objected to the provision of additional residential pitches. It is actively planning for the provision of emergency stopping places which it asserts will cater for any recorded unauthorised encampments (see para 5.27). However even in this district which claims to have no history of attracting Gypsies and Travellers, we were told that there had been four applications for sites in the last 10 years, only one of which, for one pitch, had been granted with one still at appeal. The District Council was concerned that if provision were made here it would not be occupied. This fear was met with offers from the representative of the county Gypsy and Traveller Liaison Group to assist the authority when planning new site provision given that it has no established Gypsy and Traveller communities to consult.

4.95 This is a large district, and despite areas of AONB and the Broads National Park, areas of international nature conservation importance, and flood risk areas largely around the coast, it still has large amounts of unconstrained land. However it is relatively remote, with no large settlements. It has a low planned housing level, yet its proposed pitch provision is only just below the regional average against planned housing levels.

4.96 Although this is one of the more extreme cases, we accept the imposition of the minimum 15 pitches on the basis of contributing to the wider distribution. It is within easy access of Norwich, and has similarities in geographical characteristics to its neighbour Kings Lynn and West Norfolk which has a large Gypsy and Traveller community.

Norwich

4.97 Evidence of need arising around the fringes of Norwich is provided through the county-wide GTAA and the more detailed work undertaken by both Broadland DC and South Norfolk DC. Despite having only a modest amount of unconstrained land within its boundaries, the District Council has accepted the minimum 15 pitches to 2011. It is a Key Centre of Development and Change and we consider its pitch level to be appropriate.

Kings Lynn and West Norfolk

4.98 This district has over 50% of the authorised pitches in Norfolk and therefore supports a sizeable community of Gypsies and Travellers. We are satisfied that the figure makes an allowance for unauthorised caravan households, overcrowding, family formation and transfer from housing. According to the GTAA this district is one of the few where Gypsy and Traveller numbers have decreased in the past 25 years, largely due to

changes in farm labour. The district also has a large amount of land affected by Flood Zone 3 (about half the district), together with AONB and Ramsar designations around the coast. Its proposed pitch provision is already a high proportion of planned housing levels. We support draft Policy H4's figure of 53 pitches for this district.

South Norfolk

4.99 The requirement of 28 pitches is grounded in local evidence and supported by the District Council. South Norfolk DC is about to submit a Gypsy and Traveller DPD which makes site allocations for this level (over the period 2009-12). It is a large district, and although part of it is within the Norfolk Broads, it still has a large amount of unconstrained land. Although it occupies part of the Norwich fringe, it has no large settlements. Its pitch provision is average as a proportion of planned housing levels. Although it is difficult to assess whether an adequate provision has been made for New Travellers, the District Council has been proactive in seeking to assess such needs. We therefore support the draft Policy requirement for this district.

Conclusions on Norfolk districts

4.100 The discussion above suggests that local needs may be higher than allowed for in the formula approach in respect of New Travellers in one district. We consider that there are no valid reasons to reduce the draft Policy H4 figures for Norfolk. The effect of adding to net regional need, albeit modestly, is that there is less headroom to accommodate redistributed needs arising elsewhere in the region. We are however hesitant in suggesting an increase in pitch provision in the county for three main reasons:

- Norfolk is peripheral to the main centres of population within the East of England. It also has a long coastline which reduces its general accessibility.
- This county together with Suffolk were the only parts of the region where FFT (the only Gypsy and Traveller interest group who comprehensively commented on the numerical basis of the Policy) did not argue for an increase in provision;
- The effect of the wider distribution policy in this county already produces the biggest gap between the GTAA/formula based assessment of local needs and draft Policy H4 figures.

4.101 We have therefore allowed in our recommendations elsewhere in this sub-regional chapter for an element of previously redistributed means to be met closer to the two Cambridgeshire districts with the highest existing provision.

Beyond 2011

4.102 We do not suggest the need for any local adjustment to the use of a 3% per annum compound growth rate to be applied beyond 2011, as argued by Norfolk CC and South Norfolk DC. Although there was an acknowledgement from FFT that family size was smaller for New Travellers than other Gypsy and Traveller groups, they anticipated additions coming from the general population for financial and societal reasons. New Travellers are in any event a relatively small proportion of the Gypsy and Traveller population.

4.103 Joint working between Norwich City Council, Broadland DC and South Norfolk DC which is already taking place through a Joint Core Strategy in association with regional

development needs, is likely to assist meeting longer-term need for Gypsy and Traveller provision.

Recommendation 4.13

Increase the regional pitch provision by 9 to allow for higher local needs for New Travellers than expressed through the formula approach for Broadland.

SUFFOLK

Calculation of Need

- 4.104 The second benchmarking exercise accepted the Suffolk GTAA as generally robust¹⁰⁰. A mid-point was used from the range of needs produced for each of the five districts included. The authors of the GTAA accept that the needs assessment reflects the "minimum requirement" for additional permanent pitch provision (page 101). Pat Niner concluded that the incorporation of survey findings¹⁰¹ without grossing up to an estimate of the total population suggests an underestimate of some needs, but that this could be balanced by a possible overestimate because any preferences for movement from sites to houses were not considered. The overall total for the five districts is slightly higher than that resulting from the application of the formula. Pat Niner found this appropriate because of the inclusion of New Traveller needs in one district who would not have been reflected in the published Caravan Count figures for the relevant years used in the formula.
- 4.105 The needs assessment for the remaining two districts (Forest Heath and St Edmundsbury) come from the mid-point estimates in the Cambridge sub-region GTAA, which was accepted as broadly robust in the first benchmarking exercise (see para 4.65).
- 4.106 FFT was the only party to challenge these figures. It contended that the Suffolk GTAA had underestimated needs on three grounds. It also suggested possible inaccuracies in the Caravan Count data for some districts but without further details.
- 4.107 FFT's first case is that the GTAA had assumed an inappropriately high pitch turnover rate at the public site in Ipswich. Although the GTAA estimated local need, largely from household formation and to a lesser extent concealed households, at 26-28 pitches, this was reduced down to 2 assuming that the high pitch turnover rates experienced in the previous 5 years would continue. We agree with FFT that this is a dubious assumption, and it is likely that much of this need would seek to be accommodated locally if sites were available. In our view a more reasonable assumption might be to assume half the previous vacancy rate, which would increase the regional need by 13.
- 4.108 FFT's second case is that the GTAA included an insufficient allowance for New Travellers. We agree with this case in principle, because there is evidence of a more extensive presence outside Suffolk Coastal district (where "pitch" allocation is specifically made for this community), from local authority records of unauthorised encampments which gives information on both scale and duration¹⁰². There have been large encampments which remain for extended periods of time suggestive of New

¹⁰⁰ CD4.1, pages 4 & 9-12

¹⁰¹ 63% of a minimum 203 Gypsy and Traveller families known to be living on sites, in encampments, or in houses at the time of the survey were interviewed

¹⁰² Suffolk Cross boundary GTAA, Table 8, Map 2, paras 4.62-63 and 4.70, University of Salford, May 2007 (CD4.11)

Travellers in both Mid Suffolk and Waveney in addition to Suffolk Coastal. The difficulty is that because of their travelling patterns, it is not possible to say whether these same New Travellers have been counted in other districts at other times of the year. We have therefore erred on the side of caution and suggested a modest increase of 8 additional pitches for New Travellers.

4.109 FFT's third case is that the GTAA has underestimated the needs of those wishing to move from housing back on to sites. However for the reasons given in Chapter 2 we do not consider it realistic for this RSS to go further in making provision for housed Gypsies and Travellers aspiring to return to sites.

4.110 In total therefore we consider that there are grounds to think that the Suffolk GTAA based estimate has underestimated local needs in both Ipswich and Waveney areas, and we recommend adding 21 pitches to the regional requirement.

Allocation to districts 2006-11

4.111 The total provision proposed in Suffolk for 2006-11 by draft Policy H4 is 37% above the GTAA-based estimates above (151 compared to 110 pitches). This results from a minimum allocation of 15 pitches per district being applied to three of the seven districts (Babergh, Waveney and Ipswich). Two of these authorities argued against EERA's wider dispersal strategy, partly on the basis of their distance from those parts of the region where GTAAs show most needs arising, and hence their perception of the risk that sites if provided might remain empty. We do not subscribe to this view and indeed largely accept EERA's minimum of 15 pitches per district, for the reasons given in paras 3.31-3.35. We also note that the Suffolk GTAA itself concluded that "need where it is seen to arise is not necessarily a sustainable indicator of where the need for sites actually is" (page 101).

4.112 The provision required in the draft Policy is set out in the table. The GTAA-based need is that used by EERA and does not take account of our conclusion increasing need by 13 pitches in Ipswich and 8 pitches in Waveney.

	2006 authorised pitches	GTAA need	Policy H4	
			2006-2011 requirement	2011 total provision
Babergh	0	1	15	15
Forest Heath	47*	18	18	65
Ipswich	43	2	15	58
Mid Suffolk	69	42	42	111
St Edmundsbury	2	15	15	17
Suffolk Coastal	0	31	31	31
Waveney	20	1	15	35
Suffolk	181	110	151	332

* Amended from the base figures in draft Policy H4, see para 4.10

Babergh

4.113 There has been little Gypsy and Traveller presence in this district over recent years, which according to FFT is a reflection of the strict enforcement regime. It suggests that there may be a hidden desire to move back to this area, and indeed the GTAA reveals higher unauthorised levels in the 2000-02 period. The District Council object to draft Policy H4 and say they have had no recent applications apart for one single pitch which was granted. This is a large district with a relatively high proportion of unconstrained

land despite the presence of an Area of Outstanding Natural Beauty (AONB) along its south and south eastern boundaries. It abuts Ipswich which is a Key Centre for Development and Change, where locally arising needs may have been understated (see below). We accept the proposed requirement as reasonable.

Ipswich

4.114 This is the location of the only public sector site in Suffolk, along with one small private site. The current Policy requirement includes a large increase from 2 to 15 to support the wider distribution. However this would be taken up by the higher level of local need that we have accepted above. This level is relatively modest in relation to Ipswich's housing growth, although we do not seek to increase this as it is a small authority area, with unconstrained land at just over 1,100 ha. The implication of accepting draft Policy H4's figure, is that this district would no longer be contributing capacity to EERA's wider distribution strategy.

Suffolk Coastal

4.115 There has been a sharp increase in unauthorised encampments in this district since 2004, with levels being higher in the summer. From the more detailed local work this reflects the presence of New Travellers. Provision has been included in the draft Policy H4 requirement for 26 New Traveller "pitches" (see para 7.24 for the particular considerations applying to the design of such accommodation). This requirement is based on taking the 3 year average winter level of caravans, buses, vans on unauthorised encampments in the district of around 45 and assuming that this equates to roughly 26 households¹⁰³. This applies the same ratio of 1.7 caravans/pitch as for all Gypsy and Traveller groups. FFT argued that New Travellers had a lower household size and that an allowance of one household/pitch would generally be more appropriate. This suggests that this requirement is if anything underestimated.

4.116 This is a large authority with a relatively high level of unconstrained land remaining even when taking account of the AONB and European sites of nature conservation importance generally along the coast. It also abuts Ipswich. Its draft Policy H4 requirement is above the average in proportion to the level of its housing growth. It therefore looks reasonable, although there is a possibility that New Traveller requirements have been underestimated.

4.117 The District Council argued for a footnote to be added to the Policy table to indicate the specific nature of most of their requirement. We consider that it would be wrong to single out the needs of any one group in a regional policy, and that the existing reference to New Travellers in paragraph 5.17 of supporting text is sufficient.

Mid Suffolk

4.118 This district has the highest level of existing authorised pitches (69 spread throughout 13 private sites). The GTAA-based requirement figure reflects the needs of those on an unauthorised development as a result of a previous site closure, as well as allowances for concealed households and household growth. Local authority records suggest a higher level of unauthorised encampments than implied in the Caravan Count data (see footnote 105). The size of these unauthorised encampments has also increased and there is a suggestion that this could be linked with New Travellers¹⁰⁴. We do not seek to

¹⁰³ CD4.11, para 5.18 and Table 5

¹⁰⁴ CD4.11, paras 4.67-68

make an additional allowance for this, in part because the location of the encampments close to the South Norfolk boundary suggests that they may be covered within provision there.

- 4.119 This is a large authority with a high level of unconstrained land (the highest in Suffolk). But its requirements are already significantly above the regional average in proportion to its level of housing growth. We therefore accept draft Policy H4's requirement of 42 pitches.

Waveney

- 4.120 The authorised pitches here recently changed from council to private management. Planning permission has been granted for 4 additional pitches here since 2006. The District Council object to draft Policy H4 on the basis of the extent of wider distribution which raises the estimated need of one to 15. FFT maintained that if more local investigations were carried out they would probably reveal the presence of New Travellers in this district. Indeed we note that local authority records cited in the GTAA show one very large unauthorised encampment in summer 2006¹⁰⁵. This is a modest size authority, two thirds of which is unconstrained. It is planned to accommodate only a moderate level of housing growth despite Lowestoft being a Key Centre for Development and Change. We therefore recommend that Waveney's Policy requirement is maintained at 15, on the assumption that a more substantial element than envisaged from GTAA estimates may be needed to accommodate locally arising need including for New Travellers and hence a smaller element contributing to EERA's wider distribution strategy.

St Edmundsbury

- 4.121 The GTAA-based need included an estimate for those displaced after a council site closure in 1999. The district has had relatively low levels of unauthorised camping recently. It is a large district with a high level of unconstrained land. The additional requirement is relatively modest in relation to the scale of housing growth. It contains two settlements with good road access to Cambridge: Bury St Edmunds (itself a Key Centre of Development and Change) and Haverhill. We recommend a small increase to 20 pitches.

Forest Heath

- 4.122 Although the GTAA suggested that this district could potentially provide more pitches under a policy of redistribution¹⁰⁶, the base figure of existing provision has already been amended upwards by 12 since the publication of the GTAA. The district is a modest size, much of it covered by European nature conservation designations and Flood Zone 3. It has a moderate level of housing growth (at the regional average compared to Gypsy and Traveller proposed provision). The Policy requirement appears reasonable.

Conclusions on Suffolk districts

- 4.123 The district by district discussion above suggests that in several instances local needs may be higher than assessed in the GTAAs. In two instances we have suggested that the regional total should be increased to account for this additional local need.

¹⁰⁵ CD4.11 Table 8 and Map 2

¹⁰⁶ CD4.10, page 74

However, apart from a small increase for St Edmundsbury district, we consider that the draft Policy H4 requirements are still appropriate. We have instead argued that a greater proportion of the needs displaced from the areas of highest existing provision should be accommodated in areas close by and in conjunction with major new housing growth. For the same reasons as we accepted in Norfolk, we consider there is little justification for a higher proportion of pitches to be provided in areas distant from employment centres, particularly along the coastal periphery of the region.

Beyond 2011

- 4.124 For the reasons given in Chapter 3 we largely accept EERA's arguments for continuing the 2006-11 distribution forward for those authorities requiring longer-term provision figures to inform LDD preparation. Although we accept that family size for New Travellers are generally less than for other Gypsy and Traveller groups, and hence the 3% assumption may overstate needs in some districts, we consider that there is still too little known about the base population of New Travellers to make any specific adjustments. Hopefully the next round of GTAAs will enable more accurate assumptions to be made.
- 4.125 The Suffolk GTAA was one of the few to include estimates for 2011-16. Comparing these against the draft Policy H4 assumptions indicates a relatively close match for Mid Suffolk. The GTAA suggests that the Policy provision for Ipswich is on the low side although this would be counterbalanced by a provision greater than local needs in adjoining Babergh. We consider that joint working between these two authorities will probably be necessary in the longer term to meet combined needs, and hence the Policy approach appears reasonable. The GTAA also suggests a possible Policy overestimate for Suffolk Coastal and Waveney, although to the extent that New Travellers have been underestimated then this flexibility may be taken up by their needs.

Recommendation 4.14

Increase the regional pitch provision by 13 for an overestimate of pitch turnover in Ipswich and by 8 to allow for higher local needs for New Travellers than reflected in the GTAA estimates.

Recommendation 4.15

Increase the pitch requirement for St Edmundsbury by 5 to 20.

BEDFORDSHIRE AND LUTON

Calculation of need

- 4.126 EERA has relied on the formula in determining total need in this virtual county because the total of 74 pitches found in the GTAA¹⁰⁷, completed in October 2006, was not accepted. The assessment of need in the GTAA was thought to be comprehensive but there was held to be an overestimate of the supply from pitch turnover, including movements into bricks and mortar. The GTAA was based on a detailed and comprehensive survey to which a 70% response rate was achieved – described in the Benchmarking as “uncommon”¹⁰⁸. The need for 98 pitches calculated from the

¹⁰⁷ Bedfordshire & Luton GTAA, David Couttie & Associates, 2006 (CD4.8)

¹⁰⁸ CD2.1, page 78

formula was distributed in the same ratio as the GTAA outcome. The local authorities in the virtual county do not dispute these figures, including the additional two pitches in the draft Policy for Bedford, although pointing out that they should be treated as a maximum.

- 4.127 The formula estimate is criticised by FFT and Mr Smith, a Gypsy owning and occupying a site in Mid Bedfordshire. The observations relied on by FFT from submissions made on a recent appeal¹⁰⁹ were directed at the GTAA, but it is their significance for the formula based figures which has to be decided. They relate to the following issues:
- One comment refers to whether a particular site extended in about October 2006 should be regarded as residential or transit. This does not seem to affect base need at January 2006 for the purpose of the SIR. The monitoring of net new pitch provision will distinguish residential and transit pitches.
 - A second refers to there being in-migration of 5 households annually. The survey within the GTAA also investigated where the 31 households who had moved into the area in the last five years had come from. Their origins were widely distributed and included Hertfordshire (3), Cambridgeshire (3), Northamptonshire (5) and Essex (2). The so called net in-migration balances past arrivals against expected departures. This mixing of what happened in the past with expectations of what will occur over a fairly long period seems inherently unreliable¹¹⁰.
 - There is also comment that nearly half of all households claim that a family member had moved out of the district in the last three years because of a lack of suitable sites. This claim that site shortage has led to movement out of the area may well be correct but there is likely to be a considerable element of double counting of the same family member by different households in the high figure quoted in the report (these had an average size of 3.2 people). However we also note that this is the point made by Mr Smith, whose six daughters have had to move away and do not have an authorised pitch.
- 4.128 Similar points are made by Ms Dean in a written statement on behalf of the National Romani Rights Association, who argues that the total for South Bedfordshire is too low in the light of current circumstances, such as the number of unauthorised developments, and the limitations of the formula, for example in relation to unauthorised encampments. Overall we believe this evidence shows that the total derived from the formula is low and should be slightly increased. In particular the GTAA included a need from 20 households from unauthorised encampments who wanted a permanent base, which would not be measured directly when using the formula. Although it could be misleading to apply part of the conclusions from the GTAA, the weight of the evidence suggests that the overall assessment for the virtual county is low and we recommend adding 10 pitches to the regional requirement. This should be distributed between the districts, excluding Luton, in proportion to the calculated need.
- 4.129 The provision required in the draft Policy is set out in the table. The calculated need is that used by EERA and does not take account of our conclusions increasing need by 2 pitches in Bedford, 3 pitches in Mid Bedfordshire and 5 in South Bedfordshire.

¹⁰⁹ Letter from Philip Brown Associates, 9 February 2007 concerning an appeal in Upper Caldecote, Appendix 1 attached to FFT's representations on submission draft Policy

¹¹⁰ These are expectations over the next five year period – CD4.8, page 30

	2006 authorised pitches	Calculated need	Draft Policy H4	
			2006-2011 requirement	2011 total provision
Bedford	20	13	15	35
Mid Beds	39	25	25	64
South Beds	79	45	45	124
Luton	20	15	15	35
Bedfordshire (VC)	158	98	100	258

Allocation to districts 2006-11

Bedford

4.130 The current requirement includes an increase from 13 to 15 pitches to support the wider distribution. However this would be taken up by the district's share of the small increase in virtual county need that we recommend. Bedford is to accommodate considerable housing development, although much of this is already committed, which may limit the opportunity to incorporate Gypsy and Traveller provision within it. However that is not wholly so and there may be some potential in this respect, probably after 2011. The district has a large area of unconstrained land and the amount of Gypsy and Traveller provision sought is a low proportion of total housing development. No great difficulty was envisaged by the Council in accommodating the current requirement. However in light of the opportunity provided by housing development, the role of Bedford as a Key Centre for Development and Change, the availability of unconstrained land, and the position of the district in relation to need in Cambridgeshire, we consider there is the potential to accommodate an additional 10 pitches.

Mid Bedfordshire, South Bedfordshire and Luton

4.131 A joint committee of South Bedfordshire and Luton Councils is progressing the development proposals and Green Belt boundary review required in the Milton Keynes and South Midlands Sub-Regional Strategy. Continued joint working will be required after local government reorganisation but the majority of the new development is envisaged to be in South Bedfordshire. Luton is a constrained urban authority, although the Borough Council accepts the obligation to accommodate the 15 pitches necessary. In the circumstances we do not consider it necessary to vary the current requirement for Luton.

4.132 Mid and South Bedfordshire will become a unitary authority in 2009. South Bedfordshire has a moderately large requirement to meet and is constrained by Green Belt. South Bedfordshire and to a lesser degree Mid Bedfordshire are affected by the Chilterns AONB. Both South and Mid Bedfordshire are looking to make some provision within major development opportunities, although very possibly after 2011. We recommend increasing the provision to be made in South Bedfordshire to balance the increased requirement we have found.

4.133 Mid Bedfordshire has some Green Belt but is a very much larger district with a large area of unconstrained land. At the Examination we were informed that the requirement for 25 pitches and potentially a higher number could be found without

exceptional difficulty. In the case of Mid Bedfordshire we recommend an increase by 5 pitches, slightly above the increased local need. This would contribute towards the wider regional requirement close to one of the areas of greatest local need in South Cambridgeshire.

- 4.134 The merger of the two shire districts will enable the provision required to be adjusted between parts of the area in accordance with local circumstances.

Beyond 2011

- 4.135 We agree with the local authorities that the household formation rate identified in the GTAA is not a reliable indicator of future requirements and that there will be a need to carry out new GTAAs across the region. In the meantime our Recommendation 2.3 will provide an appropriate framework.
- 4.136 Joint working between Luton and South Bedfordshire, which is associated with the implementation of regional development needs and the strategic review of the Green Belt boundary, is likely to assist meeting longer term needs.

Recommendation 4.16

Increase the regional pitch provision by 10 pitches to allow for higher local needs than expressed through the formula approach.

Recommendation 4.17

Increase the pitch requirement for Bedford by 10 to 25.

Recommendation 4.18

Increase the pitch requirement for Mid Bedfordshire by 5 to 30.

Recommendation 4.19

Increase the pitch requirement for South Bedfordshire by 5 to 50.

CONCLUSIONS ON SCALE AND DISTRIBUTION

- 4.137 Our district by district analysis has provided a bottom-up testing of the scale and distribution of pitch requirements in draft Policy H4. As a result of this and our regional level analysis in Chapters 2 and 3, we have suggested adjustments to provision levels in 17 out of 48 district and unitary areas in the region.
- 4.138 The overall effect of our recommended adjustments at district level is to:
- increase regional need by 50, having accepted indications of greater locally-arising need than allowed for in the various GTAAs and formula-based estimates. This represents an increase of about 4% on draft Policy H4's minimum of 1,187 pitches.
 - increase pitch provision closer to areas of greatest locally-arising needs, reflecting the desirability of enabling Gypsies and Travellers with strong local connections to be accommodated close to their existing base.
- 4.139 There is a redistributive element built into the way we have considered additional regional need. For that judged to arise in Bedfordshire we have suggested that provision is made in the same county. For that judged to arise in Hertfordshire, Norfolk and Suffolk, we have seen it as reducing the headroom in those areas for meeting needs

relocated from elsewhere in the region, and we see merit in the additional provision being made closer to the areas with higher populations of Gypsies and Travellers.

4.140 There is also a redistributive element which results from our district specific analysis, including a slight rebalancing within some county areas. Hence in five districts surrounded by Green Belt we have accepted the case for a marginal reduction in pitch requirements.

4.141 In all but two exceptional cases (the two smallest authorities in the region with boundaries tightly drawn around their urban areas), we have found no local circumstances to negate EERA's imposition of a minimum 15 pitches per district. Indeed for four of these districts we consider that there are local reasons to justify a higher level.

4.142 At county level the overall effect of our adjustments, including providing for additional regional need, is to:

- increase provision in Bedfordshire and Luton by 20 pitches, through increases in the three shire districts in part reflecting additional local need;
- increase provision in Cambridgeshire and Peterborough by 30 pitches, through increases in one of the districts with the largest existing provision and two other districts in close proximity;
- maintain the draft Policy provision in Essex, Southend-on-Sea, Thurrock, through an increase in three of the northern districts but decreases in two southern Green Belt authorities with high existing Gypsy and Traveller populations;
- decrease provision in Hertfordshire by 5 pitches, through reductions in the two smallest urban authorities and a third district all within the Green Belt but with small increases in two districts both of which have some land outside the Green Belt;
- maintain the draft Policy provision in Norfolk;
- increase provision in Suffolk by 5 pitches, through an increase in one district on the western side of the county.

4.143 It is clearly the intent of the Policy to signify that the total pitch requirement figures do not indicate ceilings – hence the words “at least” in its opening paragraph. We support this intention given our previous comments about the scale of provision representing a bare minimum. We therefore recommend that this intention is made clearer in the column heading giving pitch requirements by district.

Recommendation 4.20

Substitute the total of our recommended adjustments, i.e. making provision for at least 1,237 not 1,187 new additional residential pitches, in the opening part of Policy H4 and in paragraph 5.18.

Recommendation 4.21

Insert the word “Minimum” before Additional Pitches Required 2006-11 in the district table in Policy H4.

5 TRANSIT PROVISION

Matter 1.4, 2.3, 2.6, 2.9, 2.13, 2.16

This chapter examines whether the Policy should include provision for transit needs. It assesses indicators of need from the GTAAs and estimates based on unauthorised encampment data from the Caravan Count or in some cases more local sources for each of the county/virtual county groupings. It concludes that there is a case for inclusion and makes recommendations on the location and scale of provision.

INTRODUCTION

- 5.1 In discussion about transit needs, descriptions used include temporary or emergency stopping places and transit pitches. In our consideration of this topic we have adopted an inclusive approach which is intended to encompass all provision which is intended to fulfil a temporary purpose. For example this may be seasonal; temporary in order to work, travel or visit friends in an area; or to deal with an emergency.
- 5.2 National policy in Circular 01/2006 strongly supports facilitating the traditional way of life of Gypsies and Travellers by providing transit sites, although it also acknowledges that previous travelling patterns have frequently changed. There is also widespread evidence that travelling has reduced because of the difficulties of stopping somewhere with adequate safety and security.
- 5.3 The draft Policy does not contain proposals for transit provision. EERA's reasons for this are the absence of guidance on how to assess such needs, the variable manner in which this was covered in GTAAs, and the difficulty of producing reliable estimates when there is a substantial shortfall of permanent pitches. The GTAA Guidance¹¹¹ envisages that such assessments will seek to provide estimates for need of all types and it suggests questions directed at this. Nevertheless, even if answered consistently within GTAAs, such responses then have to be converted into numbers and locations.
- 5.4 Our approach has been to assess the available evidence to determine whether it offers a sufficient guide to make recommendations for an initial layer of provision across the region.
- 5.5 At the base date of the plan there were two transit sites in operation, one of 15 pitches in Hertsmere and the other of similar size in Great Yarmouth.

EVIDENCE OF NEED

The Caravan Count

- 5.6 In addition to the interviews used to inform GTAAs and other qualitative and first hand information, the unauthorised encampment data in the Caravan Count is another potential source of evidence. The unauthorised encampment figures are however a particularly uncertain part of the Count. Furthermore the raw figures do not show the nature of the need, including whether it is a displaced need for residential pitches. The Benchmarking Guidance¹¹² looked at the pattern of unauthorised encampments in the East of England over the previous five Counts. A need for more research in this area was noted but three features were recorded:

¹¹¹ Gypsy and Traveller Accommodation Needs Assessments - Guidance, CLG, Oct 2007 (CD2.9)

¹¹² Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies, page 73, CLG in partnership with GO-East and EERA/SEERA/SWRA, March 07 (CD2.1)

- the accommodation of visitors in areas with existing high permanent populations, which might be capable of accommodation on permanent sites, either with additional space or larger pitches;
- summer holiday use in some localities;
- more sporadic encampments which might be a result of travelling through or working in an area.

5.7 The Benchmarking Guidance put forward possible ways in which unauthorised encampment figures in the Count might be used to estimate transit need. Using these alternative methodologies and averaging the Count figures from 2005-2007 EERA prepared calculations by district¹¹³ at our request for discussion at the Data Meeting. The methods used were:

- accommodating July unauthorised encampments, to which a vacancy rate would have to be added (method 1);
- assuming that a proportion of unauthorised encampments represent transit need, such as 50%, and the remainder a need for residential provision (method 2);
- treating the difference between average January and July figures as estimating the seasonal need for transit accommodation (method 3).

5.8 The regional estimates produced using methods 1-3 range from 69-176 pitches. EERA made it clear however that it did not consider these to be reliable estimates of transit need. We have had regard to this information when evaluating the GTAAs and other local evidence. It should be noted that these estimates show a calculated need for pitches, whereas it would be expected that the provision of sites would assume a degree of vacancy. The calculations used in applying method 1 have not done this. On the other hand EERA's calculations are based on an average of 1.7 caravans per pitch, an assumption which was considered to be too high by FFT. Both these reservations should be borne in mind in relation to the recommendations which follow.

GTAAs and other local evidence

Bedfordshire and Luton

- 5.9 The GTAA¹¹⁴ found there was a need for a network of emergency stopping places across the area to accommodate around 45 households per year, i.e. not a pitch estimate. This was based primarily on the responses given in its survey of Gypsies and Travellers. However much of the need it describes is associated with the shortage of residential pitches and there was little sign of the activities normally associated with transit sites. For example no need was found for groups moving through the study area and need from moving around the area was also very low. One category of use was following evictions (distinguished from enforcement action) and this may be one source of a continuing need, although some of this too could be a result of the absence of lawful sites.
- 5.10 The calculations made by EERA using unauthorised encampment data produces an estimated need for between 5-7 pitches. The highest figure is in Luton but because of the limitations of the data limited weight should be given to such a detailed breakdown. FFT argues that there will be a continuing need to accommodate visitors, especially as more residential provision is made. It notes that even if space for visitors was provided

¹¹³ Estimating Transit Need in the East of England, EERA Note, 12 September 2008 (CD4.28A)

¹¹⁴ Bedfordshire & Luton GTAA, pages 42-43, David Couttie & Associates, 2006 (CD4.8)

on new sites, this would not be available on existing sites. Mr Smith also supports having temporary stopping places on residential sites because these would be safer and better managed. This is an example of the ambivalent views of the Gypsy and Traveller community towards dedicated transit sites, presumably based on their past experience.

- 5.11 At the Examination FFT suggested that 2-3 small sites would be appropriate, not greatly dissimilar to the need for two sites which was expressed as a personal view of one local authority officer.

Cambridgeshire and Peterborough

- 5.12 The GTAA accepts that there is a transit need and gives a tentative estimate that this should be in a 2:1 ratio¹¹⁵, amounting to some 130 pitches. It also found that transit sites were relatively unpopular, highlighting the care necessary in their establishment and management. The GTAA adopted the proposal for a transit site in Cambridge but otherwise made no specific proposals about the location of sites. We also note that the pressure for permanent pitches has led to three former transit sites being converted to residential use.
- 5.13 Cambridgeshire Constabulary reported that there are frequently summer encampments for about 2 months in the Peterborough and Huntingdonshire areas. Peterborough City Council accepted that there is a need which it intends to meet, although the precise figure is difficult to quantify. Huntingdonshire DC suggested that an emergency stopping place might be necessary but that this should be investigated locally. FFT argued for a network of provision, including a site in the vicinity of Cambridge. Fenland DC is progressing the provision of a 9 pitch site. The need for this has been established from the work of the Gypsy Liaison Officer, and is intended to accommodate seasonal workers.
- 5.14 Calculations based on the Caravan Count data produce a range of 6-33 pitches. FFT argues for four sites (40 pitches) spread around the virtual county in Cambridge, East Cambridgeshire, Fenland and Peterborough.

Essex, Southend-on-Sea, and Thurrock

- 5.15 There is a particular lack of useful evidence about transit need here. This was not covered in the Essex GTAA, although it will be included in the new GTAA for Essex and Southend-on-Sea currently being carried out. The conclusion of the Thurrock GTAA¹¹⁶ was that “there is no need to provide transit sites within the Thurrock area since the occurrence of roadside encampments is low, partly due to a robustly enforced protocol on evictions” (GTAA para 10.11). However interviews with Travellers had supported there being a transit need (GTAA paras 6.21 and 6.39). The conclusion in the Thurrock GTAA corresponds to the evidence for Epping Forest DC that need there is likely to be very low because there are no unauthorised encampments remaining.
- 5.16 Using the Caravan Count data gives need estimates of 7-22 pitches. FFT suggests four sites each with 10 pitches spread around the virtual county, in the first instance in Colchester, Southend-on-Sea, Thurrock and Brentwood.

¹¹⁵ Cambridge sub-region GTAA, para 3.9.3, Anglia Ruskin Uni & Bucks Chiltern Uni College, May 2006 (CD4.19)

¹¹⁶ Thurrock Gypsy, Traveller & Travelling Showperson Accommodation Assessment, Fordham Research, October 2007, final report (CD4.5)

Hertfordshire

5.17 Hertfordshire Constabulary support some provision being made through the planning process to reduce costs of eviction and cleanup. They report approximately 14 illegal encampments in the county in the last 2 years mainly in summer months.

South and West Hertfordshire

5.18 There is already one site in South and West Hertfordshire at South Mimms. This has 15 pitches but tends to be under-occupied. This facility is appreciated by survey interviewees in the GTAA¹¹⁷, including for work, but needs to be part of a network (GTAA para 4.72). Its existence probably accounts for low figures for unauthorised encampments in Hertsmere (GTAA para 4.53). The GTAA suggests a possible need for three additional sites (30 pitches) based on the number of occurrences and duration of stay on unauthorised encampments, based on Hotline data (GTAA paras 4.67-68). The implementation of one of these as a pilot scheme is recommended to monitor usage and management (para S.25).

5.19 Caravan Count data shows only very small numbers of unauthorised encampments over the last three years so that calculations based on this produce a very low estimate of just 1-2 pitches in St Albans. However the Hotline data and previously higher levels of unauthorised encampments suggest that this may be a poor guide. The GTAA describes a reduction in travelling because of the difficulties involved (GTAA para 4.63) including strong enforcement (GTAA para 4.57).

5.20 FFT suggested in debate a minimum need of one additional site here. In respect of the pitch estimate produced by the GTAA it gave possible locations as Watford, Dacorum and Hertsmere.

Northern and Eastern Hertfordshire

5.21 The GTAA¹¹⁸ suggests there should be one site of 10 pitches for transit/emergency stopping place use. This need is said to be supported by Hotline data showing over 200 unauthorised developments and encampments (data not distinguished) since 1997, even after allowing for multiple counting (GTAA para 39). Few were said to include as many as 10 families, so that one site would be sufficient to meet the needs of those passing through the area (GTAA paras 8.37-38). The majority of the 47 unauthorised developments and encampments since 2003 have occurred in East Hertfordshire (18) and Welwyn Hatfield (24) (Table 35).

5.22 The Caravan Count data shows very small numbers of unauthorised encampments over the last three years, and hence no need is registered on calculations based on this source. This may in part reflect strict enforcement, since the GTAA says Gypsies and Travellers are always moved on from highway verges (GTAA para 3.39).

5.23 FFT suggests that there should be one 10 pitch site in Stevenage.

Norfolk

5.24 One of the two existing transit sites in the region is at Gapton Hall, Great Yarmouth, which has been extended recently from 15 to 18 transit pitches. The Borough Council anticipates that this will shortly be increased to 20 transit pitches. According to the

¹¹⁷ South and West Hertfordshire GTAA, April 2005 (CD4.7)

¹¹⁸ Northern and Eastern Hertfordshire GTAA, 2006 (CD4.6)

- GTAA¹¹⁹ Gapton Hall is only likely to have full occupancy during busy travelling periods (GTAA para 15.11).
- 5.25 The GTAA estimated a need for 27 transit (termed temporary pitches) using a similar approach to method 3, but with a lower average caravans per pitch figure¹²⁰. This figure is intended to also include South Norfolk, where the district GTAA¹²¹ identified a need for 12 transit pitches. We have concluded in Chapter 4 that the requirement for residential pitches cannot be regarded as partly meeting transit needs, as implied in the GTAA. 94% of interviewees in the GTAA felt there were not enough stopping places.
- 5.26 Norfolk has the highest incidence of unauthorised encampments in the region. Calculations using this information give an estimated County requirement for 80 pitches on method 1 and 32/33 on methods 2 and 3. The County Council accepts that there is a seasonal demand although we note there is also persistent unauthorised encampment in the January Count.
- 5.27 There are a number of local indicators of need. The County Council has been working with districts to provide rotating provision alongside main routes, although these would be very basic and are not envisaged as a long term solution. This concept has been taken forward in South Norfolk – the District Council mentioned in debate pursuing an 8 pitch proposal. North Norfolk DC intends to provide two sites of 10 pitches each in response to a pattern of short term stays for work, holidays and pilgrimage. We understand Breckland is progressing a 6 pitch short stay/transit site for which Gypsy and Traveller Site Grant was agreed in 2007/08. Broadland DC has suggested there is a need in its district for two roadside temporary stopping places alongside the A47, each with up to 3 pitches, and similar provision on the Norwich fringe¹²².
- 5.28 FFT advocates a need for 40 transit pitches, spread throughout the county including in Kings Lynn and West Norfolk. The Norwich periphery was particularly mentioned by those interviewed in the GTAA (para 10). Any such transit need is distinct from any provision to be made for New Travellers by rotation between sites.

Suffolk

- 5.29 Transit requirements were part of the Suffolk GTAA¹²³, which covered all districts except Forest Heath and St Edmundsbury. The summary of its conclusions here therefore does not apply to those districts. The GTAA estimates the need as being for 7-19 transit pitches for those who would otherwise be on unauthorised encampments (GTAA para 5.35). The lower estimate is based on Caravan Count figures for unauthorised encampments and the upper estimate from interviews with Gypsies and Travellers. Some 64% of those on unauthorised encampments were not looking for somewhere more stable to live (GTAA paras 4.113, 5.34). As a result a network of five sites of 8-12 pitches, i.e. 42-60 in total was proposed (GTAA para 5.37), which takes account of the time limit likely to apply to length of stay.
- 5.30 Interviews supported availability of a network of sites in Suffolk, Essex, Norfolk and Cambridgeshire, the only specific place mentioned being Felixstowe (GTAA para 4.187). Larger pitches on residential sites were suggested as a possible means to accommodate friends and family (GTAA recommendation 9). The establishment of at least one new transit site was recommended as a pilot (GTAA recommendation 10).

¹¹⁹ Norfolk GTAA, July 2007 (CD4.12)

¹²⁰ In paragraph 15.4: 1.5 rather than 1.7, which would produce a slightly higher pitch requirement.

¹²¹ South Norfolk Findings on Gypsy & Traveller Accommodation Needs Survey, July 2006 (CD4.13)

¹²² Broadland DC, Matter 2D statement, Appendix 1, page 21

¹²³ Suffolk Cross boundary GTAA, University of Salford, May 2007 (CD4.11)

- 5.31 FFT suggests a need for 50 transit pitches as in the GTAA, with one site in each of Ipswich, Babergh, Suffolk Coastal, Mid Suffolk and Waveney, but none in the two districts covered by the Cambridgeshire GTAA.
- 5.32 Caravan Count data shows relatively low levels of unauthorised encampments in most districts, except in Suffolk Coastal since July 2007. Calculations using this information give an estimated County requirement of between 10-32 pitches. GTAA Table 8 and Map 2 using local authority data from summer 2006 show slightly higher levels of short term encampments than recorded in the Caravan Count affecting most districts. Our conclusions on New Traveller needs (based on evidence of longer term encampments) are given in para 4.108.

CASE FOR INCLUSION

- 5.33 EERA has commented that the absence of specific requirements in the draft Policy would not prevent transit provision being made, whether privately or by local authorities. It accepts that there should be stronger guidance and has proposed that the following text be added in paragraph 5.20:

“In the absence of guidance on the level of Transit pitch provision to meet the needs of Gypsy and Travellers, Local Authorities should seek to achieve appropriate levels of transit provision particularly where need is evident from unauthorised encampment not arising from a demand for permanent pitches.”

- 5.34 We accept that this would be beneficial. However we believe it would be preferable to go further and include a requirement for new transit pitches at county/virtual county level. The principal reasons for this are:
- Transit provision will be most effective when there is an adequate network of sites. Although there are encouraging signs of new provision, in the absence of a positive requirement it is probable that provision will be patchy and not meet the objective of facilitating a travelling lifestyle.
 - There is substantial evidence from across the region both confirming that there is a need for some transit provision and indicating where this should be provided. This offers the foundation for taking positive steps. It would be a lost opportunity if this were not followed up.
 - Unauthorised encampment is extremely undesirable and the benefits of providing an alternative should be given considerable weight. The adverse impacts on the living conditions of those without proper provision are severe. Furthermore unauthorised encampment is likely to be a source of conflict with the settled community.
- 5.35 Having said that we also recognise that quantification of the need is difficult and in many areas more work will be needed, including consultation with Gypsies and Travellers, to determine the type of provision and site size/location. In some areas, notably in Hertfordshire, the need implied by Caravan Count data is very low but we are satisfied that there is a good range of evidence supporting local provision. In addition there are different ways in which the travelling needs of Gypsies and Travellers can be met and some of these will not require dedicated transit provision. There is considerable support within the Gypsy and Traveller community for increased opportunity to accommodate visitors on residential sites, whether by having larger pitches or including some separate space on the site for this purpose. Furthermore Gypsies and Travellers may make use of caravan sites available to the whole community. There is evidence that this already happens in both the Norfolk and Suffolk

GTAAAs. In the Norfolk GTAA 25% of 75 responses gave their usual stopping place as registered caravan sites (GTAA para 12.1). The Suffolk GTAA says that a number of interviewees used a holiday camp, with the advantage that they could book ahead rather than be dependent on a first come first served basis (GTAA para 4.151).

- 5.36 There is an understandable concern about the pressure there may be for transit sites to become used to make up the shortfall of residential provision. However we do not believe these are insurmountable difficulties, as is indicated by the continued operation of two transit sites in the region. This would be a factor to be taken into account when detailed proposals are prepared, including in determining how sites are managed. We are also mindful that a very high priority is attached to new residential provision but do not accept that is a reason to defer wider objectives. Furthermore there are some Gypsies and Travellers who do not wish to have their own site but aim to continue to travel. If transit provision is not made, their needs would have been ignored.
- 5.37 FFT suggest there is a need for temporary facilities in connection with fairs in the region. Two traditional events in Cambridge were mentioned and the annual pilgrimage to Walsingham. We were told that the Cambridge events take place on common land and only stallholders and showpeople are allowed to camp on the land. This seems to be a local management issue and we are not convinced it needs to be included with the RSS. North Norfolk DC also confirmed that it had management arrangements in place to deal with Gypsies and Travellers visiting Walsingham.

RECOMMENDED TRANSIT PROVISION

- 5.38 Our recommendations for each county/virtual county are set out in the table.
- In Bedfordshire the need could be met by a single site. Alternatively there could be smaller sites, one in Bedford and the other in the new Central Bedfordshire UA, capable of serving Luton.
 - In Cambridgeshire a site is already proposed in Fenland and there is evidence supporting a site in three further locations, including one site accessible to Cambridge.
 - The aim in Essex would be to establish a distributed network of sites located to be accessible from main transport routes and offering a potential base for work in main urban centres.
 - The need in Hertfordshire could appropriately be met by one site in each of the GTAA areas. In South and West Hertfordshire this might be in the Watford area, where north-south and east-west transport corridors intersect. This would be reasonably separated from the South Mimms site and would partly offset the reduction we have recommended in the residential requirement in this area.
 - In Norfolk there are proposals at various stages of implementation which have the potential to form a good network. The range of locations could include all districts, although in Great Yarmouth any need would be met by the existing site and the small addition proposed to it.
 - In Suffolk the scale of genuine transit need could be catered for by two sites, one in the north such as Mid Suffolk/Waveney, and the other convenient to Ipswich and Felixstowe. The identification of suitable locations would be aided by the prospective creation of one or more unitary authorities.
- 5.39 These recommendations would amount to total provision of about 160 pitches on some 17 sites. This is a realistic level when compared both with the total figures calculated

but not agreed by EERA from unauthorised encampment data, and what was described in the Benchmarking Guidance as a "crude estimate" that accommodating all summer caravans would need 20-30 sites with a capacity of 10-15 caravans¹²⁴. In the latter case it was thought that much of the capacity would be empty in winter. We therefore recommend including a new policy for transit provision (see wording in Appendix A) which would include the table below.

- 5.40 There is likely to be a need for joint working to progress county/virtual county figures to specific local provision in most areas. This can build on working relationships already established in carrying out GTAAs, especially since similar data sources may be relevant in firming up the detailed character of local needs.
- 5.41 Our suggested approach to the inclusion of provision figures for both transit needs, and in the next chapter for Travelling Showpeople sites, would supersede the supporting text in paragraph 5.20, and we therefore recommend its deletion.

Recommendation 5.1

Add to Policy H4 a requirement to establish a network of transit provision across the region. The number of sites in each county area would be defined in an accompanying table, with the location and size of sites developed following local studies.

County/virtual county	Existing Provision (pitches)	Additional Pitches Required 2006-11	Further Locational Guidance
Bedfordshire & Luton	Nil	10	Central location capable of meeting a range of needs; could be two smaller sites.
Cambridgeshire & Peterborough	Nil	40	Cambridge area, Fenland, Huntingdonshire and Peterborough.
Essex, Southend-on-Sea, & Thurrock	Nil	30	Distributed network of 3-4 sites aligned with transport routes and urban centres.
Hertfordshire	15	20	Two sites, one in South and West Hertfordshire, complementing existing South Mimms site; the other in the area of the Northern and Eastern Partnership.
Norfolk	18	40	Most Norfolk districts, including Norwich fringe (may not be in Norwich).
Suffolk	Nil	20	Two sites, one in the south (Ipswich/Felixstowe) and one in the north of the County.

¹²⁴ CD2.1, page 72

Recommendation 5.2

Delete paragraph 5.20 since this general guidance on transit needs and Travelling Showpeople would no longer be needed.

6 PROVISION FOR TRAVELLING SHOWPEOPLE

Matter 1.5, 2.3, 2.6, 2.9, 2.13, 2.16

This chapter examines whether the Policy should include provision for Travelling Showpeople sites. It tests the robustness of estimates put forward by The Showmen's Guild of GB for each of the county/virtual county groupings against indicators of need from several GTAAs and from local authority returns to a questionnaire by EERA. It concludes that there is a case for inclusion and makes recommendations on the location and scale of provision.

INTRODUCTION

- 6.1 National policy in Circular 04/2007 sets out expectations on RSS in respect of identifying plot requirements for Travelling Showpeople in each local authority area taking account of GTAAs and a strategic view of needs across the region¹²⁵. One of the main intentions of the Circular is to address the current under-provision of Travelling Showpeople's sites over the next 3-5 years, and to maintain an appropriate level of site provision through RSSs and LDFs (para 14 a).
- 6.2 Travelling Showpeople are defined as *"Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes G&Ts as defined in ODPM Circular 1/2006"* (para 15). As made clear by The Showmen's Guild of GB because of changing business patterns and increased mobility their needs are no longer for traditional winter quarters but for a permanent residential base with access to the usual range of education and health services as enjoyed by the settled community.
- 6.3 The draft Policy does not contain any consideration of plot requirements for Travelling Showpeople, but in its supporting text (paragraph 5.20) refers to Circular 04/2007 as the source of advice on interim measures to meet needs. This Circular was not published until after the Issues and Options consultation on Gypsy and Traveller accommodation. At that stage EERA attempted to build a database, via a questionnaire to all district/unitary authorities, on existing and proposed sites for Travelling Showpeople with any indications of future needs either from GTAAs or through enquiries made about land. This produced an incomplete picture across the region with several local authorities failing to respond¹²⁶.
- 6.4 Following our interest in this subject as signalled at the Preliminary Meeting, the Showmen's Guild assembled information on the Travelling Showpeople population (over 400 families in the region) and their estimated short term needs for additional plots. Aggregated figures by county were presented to the Data Meeting, which were made available by district, together with a method statement, just over a month before the Examination¹²⁷. We encouraged other participants, particularly local authorities, to comment on the perceived robustness of this information in written submissions and in debate, while accepting entirely that local authority Members had not had an opportunity to consider this subject.

¹²⁵ Circular 04/2007 – Planning for Travelling Showpeople, para 21, CLG, August 2007 (CD2.4)

¹²⁶ Existing and possible change in travelling showpeople sites and pitches by District from local authority responses 2008, EERA (CD4.17)

¹²⁷ Needs of Travelling Showpeople in the Region, The Showmen's Guild of GB, 15 September 2008 (CD4.29A), with corrections for an arithmetic error on 17 October 2008 (CD4.29B)

EVIDENCE OF NEED

- 6.5 The living accommodation of Travelling Showpeople is not included in the Caravan Count, hence there are no indicators of need from that source. Nor was there any mention of provision for Travelling Showpeople in the Benchmarking Guidance referred to in earlier chapters.
- 6.6 The needs of Travelling Showpeople should be covered in GTAAAs¹²⁸. However of the nine GTAAAs conducted in this region, only three did so, namely Cambridgeshire (published May 2006), Thurrock (October 2007) and Bedfordshire via a supplementary report (2007). Two interviews with Travelling Showpeople were also included in the Suffolk GTAA.
- 6.7 In the work undertaken by the Showmen's Guild it incorporated the results of the Thurrock GTAA and also the interim findings from the Essex GTAA which was ongoing at the time of the Examination. Its assessment for the rest of the region was based on telephone contact with key people from the Showmen's community from which it:
- identified the number of families in need of a new plot because of severe overcrowding or location on existing unauthorised plots (termed urgent need);
 - estimated the number of additional plots for families waiting to form mainly by applying proportions to an assumed age split with deductions to avoid double counting (termed growth need).
- 6.8 For the region as a whole this resulted in an assessed urgent need for 108 additional plots (two-thirds of which arose in Thurrock), together with a growth need element of 75 plots which was more evenly spread. Although the Guild's figures are strictly intended to reflect needs over the next five years, they were taken in the debates as approximating to the 2006-11 period to which the policy applies.
- 6.9 The Showmen's Guild recommends that a 1.5% growth rate should be applied to total provision at 2011 to provide for continuing household growth. Its suggestion makes allowance for the smaller family size within the Travelling Showpeople community compared to Gypsies and Travellers, and includes a deduction for turnover of yards.
- 6.10 Participants' reactions to these estimates by the Showmen's Guild are compared to information from the GTAAAs and from EERA's local authority survey, at a sub-regional level below.

Sub-regional considerations

Bedfordshire and Luton

- 6.11 The Showpeople Assessment¹²⁹ was based primarily on 29 interviews. It identified six existing yards within the three shire districts. Of these the Bedford Yard is the largest. This corresponds to the Showmen's Guild's information, although the number of families implied in the Assessment is larger than the Guild's estimate. Luton was not covered in the survey but the Borough Council stated that it had no Travelling Showpeople accommodation, only an equipment storage site.
- 6.12 The surveys led to a needs assessment of 19 additional pitches for 2007-2012. Of these three resulted from an unauthorised development in South Bedfordshire, one from

¹²⁸ Gypsy and Traveller Accommodation Needs Assessments, Guidance, CLG, October 2007 (CD2.9)

¹²⁹ CD4.9

overcrowding and the remaining 15 from concealed households, defined as individuals who would be looking for their own accommodation in the next three years (2007-2010). The largest elements of need were judged to be in Bedford and South Bedfordshire (each 7-8) and half of this level in Mid Bedfordshire.

- 6.13 The Showmen's Guild's figures give a needs estimate of 10 plots which is significantly lower. The difference arises principally from the high concealed households figure in the Assessment (15 against the Guild's 7). The Councils argued in debate that the more recent figures from the Showmen's Guild should be taken. We consider that there are grounds to doubt the high figure in the Assessment which is a need from individuals rather than the formation of households. Taking this into account, there is a broad correspondence in terms of distribution between districts in the two data sources.
- 6.14 The other element of the Guild's figures is its estimated urgent need for 3 additional plots, spread equally between the shire districts. There are grounds here for inferring that the Guild's figures do not allow for the unauthorised development in South Bedfordshire. This seems to have arisen from the displacement of families from a site in Leighton Buzzard after its acquisition for alternative development¹³⁰. As this should form part of the need arising in the 2006-2011 policy period, we consider that this should be included.

Cambridgeshire and Peterborough

- 6.15 The Cambridgeshire sub-region GTAA mentions three existing sites (of which two are in South Cambridgeshire and one in a neighbouring Norfolk district). This base information significantly understates current known accommodation, which according to local authority returns for this virtual county total 11 sites with 53 plots in East Cambridgeshire, Peterborough and South Cambridgeshire plus another site in Fenland. The Showmen's Guild's estimates roughly correspond in total (54 families) with a similar figure for two of these districts, and with its estimate for families in Fenland being offset by a reduced estimate in South Cambridgeshire. The Showmen's Guild explains these differences as resulting from the distinction between families and plots.
- 6.16 The GTAA estimates a need for only 5 additional plots within the whole Cambridgeshire sub-region. This estimate is likely to be too low as it stems from an underestimate of existing site levels.
- 6.17 The Showmen's Guild suggests that eight additional plots are needed to meet urgent needs, and 10 for family growth, the largest element of which is associated with existing provision in East Cambridgeshire. A demand for additional plots is reflected in the fact that East Cambridgeshire has received three planning applications between January 2006 and late 2007, and Fenland one, according to EERA's survey.
- 6.18 East Cambridgeshire DC supports provision figures being included in this SIR. Both Peterborough City Council and Fenland DC accepted in debate that the Guild's figures looked about right or were the best available evidence and expressed a willingness to work with the Showmen's Guild based on these. Other authorities including the County Council were unwilling to endorse the evidence base as reliable; South Cambridgeshire DC noted that one plot had been marketed recently.

¹³⁰ EERA's survey of local authorities (CD4.17)

Essex, Southend-on-Sea, and Thurrock

- 6.19 The existing number of Travelling Showpeople families in this virtual county is estimated at 166, nearly 70% of which (116) is located in Thurrock, the largest presence in the region. This is based on the Thurrock GTAA and the desk work stage of the on-going update of the Essex GTAA.
- 6.20 The GTAA-based estimates put forward by the Showmen's Guild suggest an urgent need for an additional 79 plots (most of which is in Thurrock) and a need for 24 additional plots for family growth (only half of which is in Thurrock with the remainder spread across four other districts).
- 6.21 Most of the urgent need in Thurrock results from 62 plots subject to a temporary planning permission in one location. Although not yet formally accepted by the Council, its emerging DPD may propose agreeing the 62 plots. Needs arising from overcrowding and household growth in Thurrock relate not only to this site but a further site closer to the River Thames in Flood Zone 3 where local expansion is not possible.
- 6.22 In the rest of Essex the figures are based on a recent analysis of secondary sources and we accept them as the best data currently available.

Hertfordshire

- 6.23 The Showmen's Guild's figures indicate a base population of some 60 Travelling Showpeople families. When compiled it appeared that three-quarters of these families (46) were located in Broxbourne, although following detailed boundary checks in the northern Lee Valley area it transpired that one large site was actually in East Hertfordshire¹³¹. Both authorities acknowledge the existence of Travelling Showpeople in this area. Dacorum BC also recognises a community spread over its three sites. Returns from a further four District Councils in the county roughly correspond with the Guild's figures (St Albans, Three Rivers, Watford, Welwyn Hatfield).
- 6.24 The Showmen's Guild suggests that 8 additional plots are needed to meet urgent needs, all in Broxbourne. This figure was accepted by the Borough Council and was said to be recognised in a criteria-based policy in its adopted Local Plan. The Guild suggests 14 additional plots for family growth most of which was associated with existing provision in Broxbourne/East Hertfordshire. Broxbourne BC thought this growth estimate looked high. Three District Councils gave examples of changing business interests amongst Travelling Showpeople families as reasons for dealing with provision locally rather than through RSS. On the other hand Watford BC argued for a delay in this SIR until it could include the needs of Travelling Showpeople and possibly transit needs rather than run the risk of over-providing for types of pitch possibly with low or no demand. Information from Dacorum BC¹³² revealed 4 plot vacancies within the Borough plus a current application on one of its three sites for replacement housing. Given that the Showmen's Guild has accepted the loss of this latter site in a letter to the Council, and that there is reported to be one vacancy on each of the remaining sites, it could be considered illogical to add a further need element here.

¹³¹ The Showmen's Guild's figures were corrected for this in their submission 841-2

¹³² Dacorum BC Matter 2B statement

Norfolk

- 6.25 The Guild's figures indicate a base population of some 75 Travelling Showpeople families, with a high concentration in Norwich (50), and many of the remaining families in King's Lynn and West Norfolk (14). The presence of a site in the latter district is acknowledged in the Cambridge sub-region GTAA.
- 6.26 The Showmen's Guild anticipates that 7 additional plots are required to meet urgent need and 14 to meet family growth. Two thirds of this assessed need is expected to arise in Norwich. Norwich City Council accepted these figures in debate as well as the Guild's assertion that it would not be possible to extend the existing Norwich site. The City Council envisaged joint working with its adjoining districts in due course to seek to accommodate this need, a proposition which was accepted by Broadland DC.
- 6.27 The Guild's figures suggest a short term need of 3 additional plots in King's Lynn and West Norfolk. This is higher than implied by the Cambridgeshire GTAA which assessed a combined need for only 5 plots in the sub-region. Cambridgeshire CC considered that there was insufficient evidence on which to include Travelling Showpeople requirements in this SIR.

Suffolk

- 6.28 The Showmen's Guild's figures indicate the existence of some 20 families in this county, with half (10) in Suffolk Coastal. Suffolk Coastal DC acknowledge the existence of an authorised site here. Returns from a further two District Councils in the county roughly correspond to the Guild's base figures (Ipswich and St Edmundsbury).
- 6.29 The Showmen's Guild sees an urgent need for 3 additional plots, and 6 additional plots to meet family growth. About half of this need is expected to arise in Suffolk Coastal, an expectation which that District Council said they did not challenge. Babergh DC speaking on behalf of Ipswich City Council in the debates, described the Guild's work as comprehensive and envisaged that provision for the assessed need could be made within the Ipswich policy area¹³³.

CASE FOR INCLUSION

- 6.30 The indications of five year need provided by the Showmen's Guild were accepted by EERA as the best available evidence and likely to be robust. Its concern was that its Members had not had an opportunity to take a strategic view across the region in consultation with local planning authorities as intended by the Circular. Such a view would include examining the case for a wider distribution approach, i.e. not necessarily meeting the assessed need in the district where it was assessed to arise. Cambridgeshire CC and others considered that there was insufficient evidence on which to proceed at this stage and that further research was needed. Since travelling patterns are much broader than in the Gypsy and Traveller population, and there is evidence of displacement of need from London because of high land values and/or lack of available sites, EERA suggested that CLG should undertake research at a national level to provide a better evidence base on which to make decisions about the distribution and level of Travelling Showpeople plot provision between districts.

¹³³ The Suffolk GTAA also highlights a possible need for an increase in plot provision in Suffolk Coastal and Ipswich as households grow, although this was not quantified and it only reflects where the two interviewees were located, paras 6.37 and 6.44 (CD4.11)

- 6.31 In our opinion there is a case for strengthening the consideration of Travelling Showpeople needs in this SIR, since it may be many years before there is another opportunity to consider this issue at regional level (see para 2.46). The issue for us is how far the content of this SIR can be extended at this stage in the process (see our discussion of soundness in para 1.15). We are therefore faced with the following options:
- expanding the supporting text, paragraph 5.20. This was advocated by Fenland DC who suggested an addition to allow local planning authorities to permit proposals for Travelling Showpeople where the GTAA had identified such a need. Others suggested being more explicit about the transitional arrangements suggested in Circular 04/2007, but we are not in favour of such duplication of national guidance;
 - including some numerical information in an RSS Annex. This was advocated by Hertfordshire CC for compliance with Circular 04/2007, para 36. Hence they suggested including data on existing provision and unauthorised sites, and possibly an interim estimate of additional plot requirements at regional level. They also suggested expanding the supporting text in paragraph 5.20 to identify areas of immediate need, and to require relevant local authorities to consider bringing forward sites in these areas. We consider that this suggestion has merit, but only if we had severe reservations about the robustness of the needs assessment presented. However, we do not consider that including numerical information in an Annex is compatible with the succinct style of presentation demonstrated in the East of England Plan;
 - including interim estimates of additional plot requirements at county/virtual county level within an expanded Policy H4 or as a new policy. This solution would in our opinion provide the most certainty for subsequent LDFs. The Guild's figures are accepted by EERA as the best available evidence.
- 6.32 We therefore consider that there is a justifiable case for following the third option above. The figures before us appear to be more locally grounded than estimates used in the South West Partial Review Proposed Changes, where similar issues of timing and lack of GTAA coverage were faced¹³⁴.
- 6.33 We do not consider that recommending county level estimates usurps the Regional Assembly's role in taking a strategic view of needs across the region. There is only one district in which there is a concentration of immediate need, i.e. in Thurrock. The District Council there has acknowledged that there may be opportunities to give a permanent permission for some of the current unauthorised sites. Beyond this we see merit in the Essex grouping of authorities seeking to facilitate a wider choice of land opportunities for Travelling Showpeople rather than perpetuating the current concentration in Thurrock. That such a demand exists is reflected in the fact that local authorities have received seven requests for assistance to find land between January 2006 and late 2007 in districts outside Thurrock (four of these were in districts with no existing Travelling Showpeople population). Essex is the largest county in the region and hence should provide sufficient opportunities for this to occur. Epping Forest DC supported this approach¹³⁵.

¹³⁴ Estimates used in the South West were based on a requirements formula derived from only two of the region's GTAA that had included Travelling Showpeople. The method is set out in Part 2 Report: Travelling Showpeople for SWRA, CURS and University of Salford, February 2008 (CD4.32)

¹³⁵ Epping Forest DC Matter 1A non-participant statement, page 7

- 6.34 In other counties it should be possible for agreement to be reached on a subdivision of plot requirements by district, in collaboration with the Showmen's Guild. The Guild's favoured method of working would be to encourage local families to put forward extensions to existing sites where appropriate, but for them to work with the county groupings of local authorities to identify possible new yards for those families prepared to move. We see merit in this way of working, particularly as the required numbers of additional plots would not be great in the other five counties. Working relationships have already been established at county level in carrying out GTAAs.
- 6.35 We see the benefits of joint provision between districts to meet the needs in several county areas where the estimated plot requirements for individual districts are very small. This would accord with the Guild's advice that there should be a minimum of 6 families per new site for community building, security and local support. Joint working could make use of policy areas already established in implementing Policy H1 of the East of England Plan.

RECOMMENDED PROVISION FOR TRAVELLING SHOWPEOPLE

- 6.36 Our recommendations for each county/virtual county are set out in the table. With minor adjustments we accept the Showmen's Guild's figures as the best available evidence. We were pleased to hear that there was a reasonable degree of acceptance from local authorities, particularly those with the most existing provision. Only in Cambridgeshire and Hertfordshire was there any suggestion that the Guild's growth estimates looked high. In Bedfordshire there was some indication that the figures could be on the low side. The minor adjustments that we have made are to reduce the figure for Hertfordshire by 2 plots for the reasons given in para 6.24, and to increase the figure for Bedfordshire by 3 plots, for the reasons given in para 6.14.
- 6.37 The Guild's figures also appear to correspond to the type of "mini needs assessment from data supplied by trade organisations" mentioned in the Interim Measures Guidance¹³⁶ as a legitimate basis for interim pitch allocations, albeit that the reference there is to their use at the LDF level.
- 6.38 The location of additional plots would be for county groupings to identify working jointly with the local Travelling Showpeople and the Showmen's Guild, as envisaged in paras 6.34-35. The particular district areas identified in the table below are where there is an assessed need greater than 6 plots which represents the Guild's suggested minimum size for new sites. This locational guidance is intended to provide a steer for DPD preparation.
- 6.39 These recommendations would amount to a total region-wide provision of 184 plots. This should be considered to be an interim estimate pending further work. Nevertheless we consider that it accords with the spirit of Circular 04/2007 to incorporate these estimates into this SIR before it is finalised. We therefore recommend including a new policy for Travelling Showpeople accommodation (see wording for Policy H4A in Appendix A) which would include the following table. This together with new supporting text (for which pointers are also given in Appendix A) would replace paragraph 5.20 to draft Policy H4, as previously covered in Recommendation 5.2.
- 6.40 For the longer term we accept that provision should be made for an annual 1.5% compound increase in the level of provision as at 2011 in each county area and have incorporated this into our policy drafting in Appendix A.

¹³⁶ Guidance on Interim Measures for Circular 04/2007, para 5 (CD2.4A)

6.41 In order to improve the future evidence base, we recommend that the needs of Travelling Showpeople should be covered more consistently in the next round of GTAAs.

Recommendation 6.1

Add a new policy on the accommodation requirements of Travelling Showpeople to require county groupings of local authorities to work with their local communities and The Showmen's Guild of GB to identify land sufficient for the interim estimate of plot requirements given in the table.

County/virtual county	Existing Provision (families)	Additional Plots Required 2006-11	Further Locational Guidance ^X
Bedfordshire & Luton	27	13	Bedford and elsewhere
Cambridgeshire & Peterborough	54	18	East Cambs and elsewhere
Essex, Southend-on-Sea, & Thurrock	166	103	Immediate needs in Thurrock. Site needs also in Chelmsford, Basildon and elsewhere
Hertfordshire	60	20	Immediate needs in Broxbourne. Site needs also in East Herts
Norfolk	75	21	Norwich and elsewhere
Suffolk	20	9	Suffolk Coastal and elsewhere

^X All local authority areas highlighted have assessed needs greater than 6, i.e. the Showmen's Guild's minimum size for new sites. Immediate needs highlighted are local authority areas with assessed urgent needs greater than 6

Recommendation 6.2

In process terms:
 The next round of GTAAs should include a more consistent coverage of the needs of Travelling Showpeople.

7 GUIDANCE FOR LOCAL DEVELOPMENT FRAMEWORKS AND DEVELOPMENT CONTROL

Matter 1.10

This chapter considers the clarity of guidance in the draft Policy for forward planners and those determining planning applications at the local level. Suggestions for expanding the scope of the draft Policy and supporting text are judged in terms of whether they would add value to existing national guidance. Recommendations are made for minor revisions to the drafting of the Policy and its text.

PROVISION IN DEVELOPMENT PLAN DOCUMENTS

Moving from criteria based policy to site allocations

- 7.1 Circular 01/2006 sets the context for a more pro-active and positive approach to provision of Gypsy and Traveller pitches, moving away from what had frequently been an entirely criteria based approach to the identification of sites at the local level. In particular it provides guidance¹³⁷ for local authorities on the role of locational criteria to be set out in Core Strategies and the process of translating the district pitch figures provided in RSS into site allocations.
- 7.2 We were encouraged that a number of local authorities are already progressing a Gypsy and Traveller site allocations DPD, including South Norfolk DC, South Cambridgeshire DC and Mid Bedfordshire DC. In other districts potential Gypsy and Traveller sites are being assessed as part of housing site allocations DPDs, e.g. by Dacorum BC. Despite this we note that many districts have not made significant progress in DPD preparation on this issue.
- 7.3 Despite the emphasis on making provision through DPDs in national guidance, the tone is not fully reflected in the draft Policy wording. Indeed making provision through the development control process to achieve the required 2011 pitch levels is mentioned ahead of the preparation of LDDs. EERA suggests that this reflects a sense of realism given the timescales.
- 7.4 In practical terms a wide range of delivery mechanisms will need to be used to provide the necessary pitch numbers (see para 8.3). We therefore consider the reference in draft Policy H4 to be appropriate, particularly as there is additional guidance on identifying sufficient sites in paragraph 5.17 of the supporting text.
- 7.5 However we recommend two ways of strengthening the role of the plan making system:
- by inserting a reference into the opening sentence of the Policy to require local authorities to make provision through their LDDs for the stated pitch level in place of the rather bland "provision will be made" phraseology;
 - by strengthening paragraph 5.17 to say that LDDs must identify sufficient sites to deliver their stated pitch level rather than the current more general wording that policies "should ensure that there is reasonable scope for identification".

Whenever recommending changes to draft Policy H4 and its text we maintain the phraseology LDDs for consistency with the rest of the East of England Plan rather than referring more precisely to DPDs.

¹³⁷ Circular 01/2006, paras 30-40

Recommendation 7.1

Add additional wording to the start of Policy H4 to emphasise that provision should be made through LDDs.

Recommendation 7.2

Revise paragraph 5.17 to express an obligation upon local planning authorities to identify sufficient sites in LDDs.

Rural exception sites and Green Belt boundaries

- 7.6 The final paragraph of draft Policy H4 says that LDDs should consider the need for rural exception sites through criteria based policies. This drew objection from many respondents within the settled community in their representations on the submitted draft Policy, on the basis that provision for Gypsies and Travellers should follow the same planning "rules" as others. Concerns were also expressed by a few local authorities particularly within Bedfordshire.
- 7.7 Rural exception sites have been an established instrument of planning for affordable housing in rural areas for many years. Such a policy enables the local authority to permit very limited exceptions to established policies of restraint in areas which the plan would not otherwise release for housing. In terms of affordable housing its use is limited to small sites helping to meet justified local needs and any resulting development must remain affordable for local needs in perpetuity.
- 7.8 We consider that the concept is legitimate for Gypsy and Traveller provision given the nature of their accommodation, and that high land values are a major barrier to affordable provision to meet local needs in many areas. The applicability of the concept is confirmed in Circular 01/2006¹³⁸. The key is that any such sites must be reserved for that particular purpose hence limiting their open market value.
- 7.9 We accept that the wording of draft Policy H4 provides the necessary flexibility for local authorities to explore these methods and that more detail is not required. Fenland DC stated that their rural exceptions policy for affordable housing had been more successful over the last few years with the involvement of an RSL, using their resources to find pieces of land and bringing in grants.
- 7.10 The selection of sites, such as by criteria contained in a Core Strategy, would be intended to ensure they were suitable for Gypsy and Traveller accommodation alone and not other forms of housing. But we do not agree that rural exception sites should necessarily be progressed through criteria based policies. The current wording of the draft Policy detracts from the strong thrust in paragraph 33 of Circular 01/2006 to make specific site allocations. At that stage suitability criteria in a Core Strategy must be converted into specific allocations. We are concerned that the current wording of the Policy may be confusing and lead to a failure to identify sites and consequent under-provision. We therefore recommend deletion of the reference to criteria based policies, which would not prevent their use in appropriate circumstances.
- 7.11 The final paragraph of draft Policy H4 also states that LDDs should consider the need to make alterations to Green Belt boundaries where necessary to make the required levels of provision. This is a likely consequence of the regional distribution which seeks to

¹³⁸ Circular 01/2006, paras 47-48. Circular 04/2007 gives guidance on development in rural areas in paras 45 and 57

meet locally-arising needs even in Green Belt districts (with limited reductions) and also to impose a minimum of 15 additional pitches per district even in Green Belt districts. We have broadly supported this strategy (see paras 3.36-42), and hence we consider a policy reference to the method of altering Green Belt boundaries to be appropriate.

- 7.12 The general extent of the Green Belts has already been addressed through the East of England Plan. RSS Policy SS7 identifies the location of several strategic Green Belt reviews required to meet development needs before 2031. The provision of Gypsy and Traveller sites should be considered to be within the definition of development needs.
- 7.13 The necessity for boundary alterations, however minor, to be made through a DPD which simultaneously proposes removing the land from the Green Belt and specifically allocates it as a Gypsy and Traveller site only, is set out in Circular 01/2006¹³⁹. We discuss the exceptional circumstances that could be used in the plan making process to justify such boundary alterations in para 3.40. Overall we consider the wording of draft Policy H4 regarding this issue to be appropriate.

Recommendation 7.3

Delete from the final paragraph of the Policy the phrase “through criteria based policies”.

Local Engagement

- 7.14 It will be particularly important for local authorities to engage with Gypsy and Traveller communities in preparing DPDs. FFT sought an addition to the Policy to say that the particular needs of local Gypsy and Traveller groups should be taken into account when planning pitch provision. Although we accept the importance of such local consultations, the importance of reflecting local needs is already included in paragraph 5.17 of the supporting text.
- 7.15 There is however a more specific challenge given the wider distribution strategy, which is that in some districts provision may be being made for Gypsy and Travellers that may not have existing links to the area. In these circumstances we consider that it will be important for local authorities to make the best use of groups, contacts, and partnerships established through this regional process to ensure the Gypsy and Traveller community are fully engaged and aware of progress being made in increasing provision at the local level. In districts which will be providing for some transferred demand from the areas of highest existing provision, there may be scope for inter-authority liaison.
- 7.16 We heard from the Showmen’s Guild that when Travelling Showpeople are looking for new sites they often gather together in a collective in order to purchase land. Ensuring a clear line of communication and ease of engagement in the planning process at an early stage of the plan making process should assist the local authority in meeting the Showpeople’s needs.
- 7.17 Public consultation would of course be a necessary part of preparing any Gypsy and Traveller DPD or more general site allocations DPD. The focus in this report on the importance of engaging the Gypsy and Traveller community reflects the fact that they have traditionally been a "hard to reach" group in terms of planning consultations.

¹³⁹ Circular 01/2006, paras 50-51. Circular 04/2007 covers only development control aspects of development in the Green Belt in para 43

LOCATIONAL CRITERIA AND SITE SIZE

- 7.18 Paragraph 5.17 of the supporting text briefly refers to the factors that should influence the location of pitches at the local level but largely leaves this to local authorities. It is silent on site size but cross refers to sources of national guidance.
- 7.19 There was general agreement in debates that LDDs would be the appropriate level to provide guidance on suitable locations and site design, as they are best placed to consider local circumstances. Some participants however sought greater detail but the issue for us is whether there is anything at RSS level that would add value to national guidance.
- 7.20 On locational guidance, paragraph 5.17 acknowledges Circular 01/2006 as the source of Government policy as is appropriate. It also makes mention of the role of key environmental constraints. We consider this reference to be appropriate as it ties in with issues that will need to be covered by the Sustainability Appraisal including the Strategic Environmental Assessment and the Habitats Regulations Assessment at the LDF stage. We accept Natural England's advice that it would be correct to say avoiding areas at risk of flooding and adverse "effects" rather than "impact" on areas of recognised wildlife and landscape importance and we recommend accordingly.
- 7.21 However we do not consider it necessary to include a statement that in implementing the provisions of the Policy lower tier plans must avoid adverse effects on the integrity of European Sites, as this would be to duplicate the Habitats Regulations Directive which makes this a responsibility on local authorities. In any event the general sentiment is covered by the overarching statement supporting Policy SS1 that all RSS policies seek to ensure that "*no development adversely affects the integrity of sites of European or international importance for wildlife*"¹⁴⁰.
- 7.22 The only other locational factor that we consider that should be mentioned relates to major development opportunities, as discussed below.
- 7.23 In relation to site design, paragraph 5.17 additionally cross refers to national guidance which at the time of submission was in draft. This clearly needs updating and we recommend accordingly¹⁴¹, although we are not convinced that the second document on local authority responsibilities needs to be referenced. Although some participants stated a preference for small sites (see also para 3.34) we do not consider it necessary for any guidance to be given at RSS level. Site size is discussed in the Site Design Guidance (paras 4.7 and 4.8) and Circular 01/2006 clearly states that Government does not consider it appropriate to set out a national maximum size¹⁴². To our mind such decisions need to be made in the local context. We are also very aware that "*RSS should not address local issues which should be the subject of a LDD*", in accordance with PPS11¹⁴³.
- 7.24 One design issue that is not covered by national guidance relates to sites for New Travellers. This is acknowledged to be an emerging issue in paragraph 5.17. FFT stated at the Examination that the provision of a network of sites for New Travellers may be appropriate so they could be used on a rotational basis. Hence in relevant areas of Norfolk and Suffolk pitch provision figures in Policy H4 may translate into multiple

¹⁴⁰ East of England Plan, para 3.9

¹⁴¹ Designing Gypsy and Traveller Sites – Good Practice Guide, CLG, May 2008 (CD2.8) and Local Authorities and Gypsies and Travellers – a guide to responsibilities and powers, CLG, May 2007 (CD 2.10)

¹⁴² Circular 01/2006, Annex C, para 6

¹⁴³ PPS11, para 1.7

locations for each pitch¹⁴⁴. Relevant issues of importance to this community appear to be green surroundings and only very basic infrastructure needs, while co-habitation with those pursuing traditional Gypsy and Traveller lifestyle may not be appropriate. Suffolk Coastal DC and South Norfolk DC acknowledged the need for innovative provision working with these communities. It will be important that other local authorities consider any good practice that emerges when considering the needs of this community. EERA could fulfil a useful role in disseminating such findings.

- 7.25 Another community for which there is no national guidance is Travelling Showpeople. It may therefore be useful for local authorities to consider the design advice in a document¹⁴⁵ prepared by the Showmen's Guild when planning sites.

Recommendation 7.4

Refer to avoiding adverse “effects” rather than “impact” in paragraph 5.17.

Recommendation 7.5

Update the footnote in paragraph 5.17 text to give the latest reference documents.

MAJOR DEVELOPMENT OPPORTUNITIES

- 7.26 Draft Policy H4 indicates that local authorities should look to new major developments for opportunities to provide Gypsy and Traveller pitch provision. In this section we look at whether major developments are suitable locations to provide new pitches, and the adequacy of the guidance in draft Policy H4 to assist development control negotiations.

Suitability for new pitches

- 7.27 Several local authorities supported the possibility of co-location of Gypsy and Traveller provision with major new developments, e.g. North Hertfordshire DC in relation to the Stevenage West expansion and Dacorum BC in relation to expansion of Hemel Hempstead. GO-East saw major development sites as potentially important locations because of their ability to overcome affordability and land value problems, e.g. by balancing land values on a very small land area for a Gypsy and Traveller site within a much larger area of profitable development.
- 7.28 A range of arguments were made to demonstrate that this would not be an appropriate way to meet need, the first of which was that the location of such developments may not coincide with where there is a need. That view was not supported by those representing Gypsies and Travellers nor do we agree with it. It is difficult to envisage circumstances where there would be no local need for Gypsy and Traveller pitches where a major development was to take place. In the absence of specific evidence to that effect it is not a view we can accept. We consider that it should not be an issue in practice given

¹⁴⁴ Where the use of a particular location were restricted to a certain proportion of the year, this would need to be recorded in the monitoring system

¹⁴⁵ Travelling Showpeople's Sites – A Planning Focus, The Showmen's Guild of Great Britain, Revised September 2007 (841-1)

- that the Policy does not seek to impose a specific relationship between pitch numbers and housing numbers.
- 7.29 Second, some argued that there could be an adverse effect on density achieved. This might be a consequence on smaller developments but would have little impact if a scheme was genuinely major. In any event, to fail to make necessary provision because of the effect this would have on density would be perverse and contrary to the overall aims of policy in relation to meeting the housing need of all households.
- 7.30 Third it was argued that such sites may not accord with the preference of many Gypsies and Travellers for privately owned sites in rural locations. In so far as some Gypsies and Travellers have a preference for some detachment and rural locations, we do not agree that this precludes suitably designed provision as part of major developments. There is flexibility on site size and in how such sites might actually be provided in terms of ownership and financing.
- 7.31 A fourth argument raised by Longstanton Parish Council is that this part of the Policy may lead to sites being established at a time when essential services have not been put in place, given the long lead in times for major developments. However we consider that this is a delivery issue for local planning authorities and not an objection in principle.
- 7.32 Finally it was argued that there would be an additional financial burden and a potential impact on the viability of development schemes. This was raised by two sets of planning consultants on behalf of developers in the Bedfordshire and Cambridge areas at the representations stage. Although viability would be a relevant consideration in each case, we do not regard this as a valid objection at regional level provided there is sufficient flexibility to take account of individual circumstances. Similarly, we see no reason in principle why an appropriate scale of provision would be contrary to the advice in Circular 05/2005 *Planning Obligations* (see below).
- 7.33 As we have argued in paras 3.53-3.55 and in Chapter 4 we consider that there are locational advantages in linking some new site provision with major new developments. This will help to mainstream Gypsy and Travellers site provision seeing it as part of the affordable housing element of new residential and mixed developments. We recommend an addition to the locational guidance in paragraph 5.17 to this effect.

Adequacy of guidance in draft Policy H4

- 7.34 Turning now to the process of negotiating site provision in association with major new developments, i.e. the mechanisms of delivery, we note that the national legitimisation is deep within the Site Design Guidance¹⁴⁶. This makes it clear that site provision by local authorities and RSLs would be considered as contributing to affordable housing, as is also made clear in relation to RSS monitoring¹⁴⁷. Since this justification is less visible than inclusion in general guidance on planning obligations, the role of Policy H4 on this issue is very important.
- 7.35 EERA stated that they would expect to see a robust argument put forward by local authorities if a major development came forward and the opportunity to deliver pitch provision was not considered.
- 7.36 South Bedfordshire DC however argued for stronger policy wording, "requiring" provision on major development opportunities rather than just "encouraging" it. They

¹⁴⁶ CD2.8, para 3.7

¹⁴⁷ RSS/LDF core output indicators, CLG, July 2008 (CD3.12)

gave examples of where this would have helped their negotiations on major sites. They also argued for setting a threshold of say 1,000+ dwellings to define a major development opportunity. Although we have sympathy with this argument, we consider that the wording of the Policy allows for local authorities to argue for inclusion of pitch provision at the local level taking into consideration local circumstances. It also allows local authorities to put stronger policies within their LDDs if appropriate.

- 7.37 In respect of a size threshold, we share EERA's concerns that it would be difficult to include a threshold within the Policy, since a development that might be considered "major" in a rural authority might be of a much smaller scale than one in an urban district with large scale housing growth. We consider that imposing a threshold in policy might limit opportunities on other smaller sites, contrary to the objectives of the site design guide.
- 7.38 Keeping the policy flexible in terms of the type of development that should be looking to provide pitches will allow local authorities to negotiate on the basis of the attributes of a particular site, e.g. access to services, and also on the particular needs of Gypsies and Travellers in terms of the ownership of the site(s), sources of financing, and any other material considerations which might impact on the ability of the development to bring forward such accommodation. These issues are not something that can be considered at the regional level.
- 7.39 We do have some concerns that the Policy only mentions major new development as a source of provision with regard to the provision required by 2011. We have noted earlier in our report that it is unlikely that development which does not yet have planning permission will be in a position to deliver pitches by 2011. Major development opportunities should also be considered beyond 2011 as a potential opportunity to provide pitches.
- 7.40 Overall we do not see a case for amending the policy wording on this issue of negotiations. We do however consider that it would be helpful to strengthen its supporting text in paragraph 5.17 to make it clear that major development opportunities should not be construed solely as regional scale development but should also include smaller developments which are significant in terms of the settlement structure of that district.
- 7.41 We also consider that it would be helpful for CLG to take any opportunities that arise to encourage developers to consider including Gypsy and Traveller accommodation as part of their affordable housing offer particularly in major new developments. Such opportunities may arise in clarifying the workings of the planning obligations system in association with bringing in the proposed Community Infrastructure Levy.

Recommendation 7.6

Add an additional element of locational guidance to paragraph 5.17 that Gypsy and Traveller provision where possible should be made as part of mainstream residential development, contributing to any local requirement for affordable housing provision.

Recommendation 7.7

Add an additional element to paragraph 5.17 to strengthen the use of Policy H4 in development control negotiations by clarifying the definition of major development opportunities.

JOINT WORKING

- 7.42 Draft Policy H4 encourages the preparation of joint or co-ordinated LDDs in translating the RSS requirements into sites. We take "joint" to mean where two or more district authorities produce e.g. a joint Core Strategy, and "coordinated" to mean where they produce e.g. site allocations DPDs on similar timelines, possibly using a common evidence base. This section considers the adequacy of draft Policy H4's wording on this issue.
- 7.43 Some participants argue that the draft Policy does not contain sufficient detail on how and where joint or co-ordinated LDDs should be carried out. FFT claim that production of joint LDDs can lead to delays in delivery while they go through their production process. It is a reasonable assumption that joint working will be useful:
- in and around authority areas that are under-bounded, and which may have limited opportunities for provision in their areas. Apart from a few locations, e.g. Stevenage, this was not seen as being necessary to meet 2006-11 provision, but may increasingly arise post 2011;
 - in those areas subject to a strategic Green Belt review to enable expansion of one of the Key Centres of Development and Change. Joint working arrangements are already in place and discussion of any associated Gypsy and Traveller provision appears to have begun, e.g. between Dacorum BC and St Albans City Council.
- 7.44 We consider the advice in draft Policy H4 provides the correct level of flexibility and guidance by "encouraging" joint LDDs but not insisting on it. We do not consider that there is sufficient evidence for the RSS to state categorically where joint or co-ordinated LDDs should be produced. It will be for the local authorities to consider whether this delivery mechanism is the most appropriate in delivering their allocated pitch provision.
- 7.45 In contrast Norwich City Council is concerned that the policy wording is overly prescriptive regarding the nature of joint working. In our view the policy wording does not discourage other forms of joint working, it merely focuses on one aspect of it, the production of LDDs which will be a key delivery tool for pitch provision. We also consider it appropriate for the Policy to restrict the ability to redistribute provision to those authorities where joint or co-ordinated LDDs are being produced. In the specific case of the Greater Norwich area we would consider that the production of a Joint Core Strategy would fall within the definition in draft Policy H4. The Core Strategy could set out how provision was to be distributed among the districts, and then the individual site allocations DPDs would take this distribution forward into allocations in a co-ordinated and timely approach.
- 7.46 At the Examination we discussed whether strategic housing market areas might provide the basis for joint working on Gypsy and Traveller provision. But in our view creating another set of district groupings which may not correspond to the evidence gathering arrangements set up in the GTAA process would not be helpful and could delay delivery.
- 7.47 We see continued joint working between local authorities in county/virtual county groupings as being important to taking forward our recommendations to establish a network of transit sites, and additional plots to meet Travelling Showpeople needs (see Recommendations 5.1 and 6.1). The existing GTAA frameworks may be useful in interpreting or expanding the evidence base in order to identify appropriate locations and delivery mechanisms for this provision.

8 DELIVERY AND MONITORING

Matters 1.6, 3

This chapter examines whether what is to be delivered and the means to do this are clearly expressed and realistic; and whether proposals for monitoring performance are adequate. The detailed terms of the Policy and text which have been considered in Chapter 7 are also relevant. It also brings together earlier comments on the review process.

- 8.1 Implementing the required level of pitch provision throughout the region will clearly be very challenging. The text to the draft Policy states an intention to produce a detailed plan on the delivery of pitch provision levels, termed here the Delivery Plan. Paragraph 5.18 refers to a number of issues: continued grant assistance, the role of the Homes and Communities Agency, advice on securing efficiencies in procurement, and help and advice to the Gypsy and Traveller community in developing their own sites. The main components are discussed below.

DELIVERY MECHANISMS

- 8.2 It is a general requirement that the RSS should be focussed on delivery mechanisms which make it clear what is to be done by whom and when. At an overall level the Policy makes delivery the responsibility of local authorities, using particularly development control powers and the preparation of DPDs.
- 8.3 A briefing note for the Data Meeting set out a fuller range of mechanisms, some of which were acknowledged to overlap¹⁴⁸. Those included were:
- new sites, as traditionally provided by local authorities (mainly Counties);
 - Gypsies and Travellers making their own provision by acquiring sites themselves;
 - giving consent to caravans currently tolerated;
 - working with those on unauthorised developments (own land) and unauthorised encampments (land not owned by Gypsies and Travellers) that are not tolerated to work towards a suitable outcome;
 - as part of major residential development through Section 106 agreements;
 - Registered Social Landlords (RSLs) or RSLs and local authorities working together;
 - extending existing sites;
 - innovation e.g. schemes for ‘joint purchase’ of land for Gypsies and Travellers to develop, enabling them to complete the purchase over a period of time and the money to be reinvested; joint development of sites; local authority sites leased to Gypsies and Travellers with proven site management record;
 - local authorities giving temporary permission in advance of DPDs identifying suitable land.
- 8.4 GO-East proposed that the range of delivery mechanisms be referred to but we believe this is sufficiently covered in the draft Policy and its supporting text, such as by the references to development control, major development opportunities and rural exception sites. Elaboration within the RSS might be interpreted as interfering with the local judgement which will determine which of these alternatives is appropriate in a particular set of circumstances. What is important is that the Policy sets an appropriate target and that there are the means available to achieve this. We have considered how

¹⁴⁸ GO-East briefing note on Gypsy & Traveller Site Grants & Delivery Mechanisms (CD4.21)

this is expressed in the Policy within Chapter 7, especially in relation to the role of rural exception sites and site allocations.

- 8.5 However in order to increase awareness, the intended Delivery Plan could usefully include information on the effectiveness of the individual mechanisms and action necessary to progress these.
- 8.6 In assessing the adequacy of what is proposed it is relevant to have in mind past difficulties and the step change in provision that will be needed. Draft Policy H4 requires nearly 240 authorised residential pitches to be provided annually (nearly 250 if our recommendations are accepted). This is a large number in historical terms and will also take up more resources.
- 8.7 To put this in context EERA's monitoring¹⁴⁹ for the period February 2006-August 2008, albeit without a full set of local authority returns, suggests that:
- 101 additional authorised pitches were provided;
 - 92 additional pitches were provided under temporary permissions;
 - 55 additional authorised pitches were permitted but had not by then been delivered;
 - 10 additional pitches were given temporary permission but not delivered.
- 8.8 A further indication of pitch delivery can be obtained from Caravan Count data, dividing this by an assumed 1.7 caravans per pitch. This suggests that the number of pitches available on land owned by the public sector or by Gypsies and Travellers¹⁵⁰ has increased by less than 100 annually in recent years. This has been on private sites (both authorised and unauthorised), with no significant net change in the number of socially rented pitches.

RESOURCES

- 8.9 Draft Policy H4 says nothing on the tenure mix of pitch requirements. This is because there is no reliable estimate of the balance necessary between private and publicly supported provision. The Cambridgeshire sub-region GTAA¹⁵¹ found that of those living on sites, 49% wanted their own sites but 41% did not. Even if the latter proportion is untypical, there may be a considerable need for partial assistance such as can be achieved through shared ownership schemes. One reason such innovative approaches will be needed is the costs previously incurred where Gypsies and Travellers have purchased land which is found unsuitable for permanent occupation.
- 8.10 The current public funding through Gypsy and Traveller Site Grant is fixed at £27 million in the region for 2008-2011. This is comparable to the amount available during 2006-2008. Approved schemes in that period were directed at 114 new or secured pitches (a significant proportion being transit pitches) and refurbishment of some kind on 39 of the region's 51 public sites¹⁵². A good number of the schemes that would have increased provision have not so far been implemented. A significant proportion of spending has been on site refurbishment. We have no criticism of the value of this, but it is obvious that the aims of the Policy will require a much greater emphasis on increasing provision in the future. In this respect it is disappointing that there has been

¹⁴⁹ Data meeting presentation - Monitoring and Delivery – CLG and EERA (CD4.30)

¹⁵⁰ Unauthorised encampments data excluded

¹⁵¹ Figure 12 in Cambridge sub-region GTAA, Anglia Ruskin Uni & Bucks Chiltern Uni college, May 2006 (CD4.10)

¹⁵² CD4.21, Appendix 1

poor take up of grant in the current year, probably because of the uncertainty created by the SIR.

- 8.11 The Implementation and Monitoring Schedule submitted with the draft Policy¹⁵³ estimates that at average costs the grant could support about 100 new pitches per year, or 40% of the target completion rate. In its evidence to the Examination EERA revised this estimate to 30%, although the Schedule also states that the aim will be to lever in additional funding. These estimates are comparable with the 35% affordable housing target in what is now Policy H2. One limitation of this analysis is that it assumes the funding requirement will be spread evenly over a five year period. In practice full achievement of the policy goal is likely to require even faster progress, which would imply greater pressure on the available funding and a reduction in the proportion of publicly funded sites that could be achieved.
- 8.12 Our recommendation to include transit provision in the Policy will increase the demand on resources, since the majority of this is likely to be publicly provided. However the Showmen's Guild expressed very firmly that Travelling Showpeople would wish to make their own provision.
- 8.13 We were informed by Epping Forest DC¹⁵⁴ that a financial toolkit to assist RSLs in providing Gypsy and Traveller pitches has been prepared. This is an encouraging example of the positive work that is taking place and is grounds for optimism that, once identified, suitable sites can be implemented.
- 8.14 Exploiting innovative means to support new provision is likely to provide a better fit to Gypsy and Traveller aspirations and allow more provision from a given sum. This was supported by the Irish Traveller Movement and others. The willingness to do this is expressed in the following paragraphs of the Site Grant Guidance¹⁵⁵:

"We are keen to encourage the development of innovative solutions for accommodation provision for Gypsies and Travellers. This could encompass a wide range of schemes. In particular it could include using public funding to facilitate the development of private sites, providing investment was protected or recycled. Bids can only be submitted by local authorities or RSLs. However, Gypsy and Traveller groups can work with these organisations to develop innovative schemes.

Successful schemes to date have included setting up a fund for use in securing appropriate land for site provision. The sites will be made available to appropriately organised Gypsy and Traveller groups on a non-profit making basis for them to develop and manage. Funds from the sale of land will be recycled into purchasing other suitable sites." (paras 18-19)

- 8.15 This is an encouraging indication that funding can be used appropriately. The greatest challenges are likely to be in securing the successful identification of suitable sites and ensuring that these can be implemented at a realistic cost, including the constructive involvement of Gypsies and Travellers in this process. In our view the preparation of this SIR has contributed towards those objectives, although with different degrees of engagement by, for example, some local authorities. We do have some reservations whether total public funding will be excessively stretched but the low current take up of

¹⁵³ Implementation and Monitoring Schedule, Feb 08 (CD1.8)

¹⁵⁴ Epping Forest DC Matter 1A statement refers to work by Niner and Walker published as Government guidance, July 2008

¹⁵⁵ Gypsy and Traveller Sites Grant Guidance 2008-2011, CLG, March 2008 (CD2.11)

grant means that an increase could not be justified at present. This would be best dealt with within the monitoring process.

AGENCIES AND PARTNERS

- 8.16 The Homes and Communities Agency will be responsible for Gypsy and Traveller Site Grant from December 2008 and will have extensive powers. The Agency will include some staff from the CLG Gypsy and Traveller Unit and will have a wide spread of knowledge, experience and contacts, such as with RSLs.
- 8.17 In its Issues and Options consultation¹⁵⁶ EERA sought views on the need for a specialist delivery agency. The responses received show support for local authorities retaining democratic control, although a minority supported an implementation body spreading best practice¹⁵⁷. This consultation pre-dated the establishment of the Homes and Communities Agency and this seems to be a logical and appropriate response to the concerns about delivery which were expressed at that time. We agree with EERA that the Homes and Communities Agency should provide the knowledge and expertise to control costs and implement the innovative solutions required.
- 8.18 The Irish Traveller Movement noted the potential to use Local Delivery Vehicles, such as exist in some areas for general housing¹⁵⁸. We are not convinced that this kind of arrangement is appropriate because of the range of delivery mechanisms which are likely to be required in any one area but this could be reviewed within the Delivery Plan, particularly for areas where the largest requirements must be met.
- 8.19 We consider the proactive coordination of delivery and the engagement of partners, including local authorities, the Gypsy and Traveller community, and the Showmen's Guild will be essential if the policy requirements are to be met. There will be particular issues to be faced in implementing the wider distribution strategy on residential pitches, on which guidance could perhaps be given in the Delivery Plan. For example it could point to the need for information sharing between those authorities where locally-arising needs will not be met in full and those who will be accommodating transferred needs. One possible tool might be the use of joint waiting lists between local authorities. Contact details of Gypsy and Traveller groups that could assist in the site identification stage of DPDs might also help those local authorities with a negligible Gypsy and Traveller population currently (see discussion on North Norfolk in para 4.94).
- 8.20 A strong steer towards local authorities working together, possibly in county/virtual county groupings, would also be useful to take forward our policy recommendations on provision for transit needs and for Travelling Showpeople sites. EERA may wish to provide a timetable for this work to be undertaken.
- 8.21 We therefore recommend that the supporting text is strengthened:
- to confirm that EERA will work with the new Homes and Communities Agency, local authorities, the Gypsy and Traveller community and the Showmen's Guild to support delivery;
 - to reinforce the role of the Delivery Plan explaining the actions to be taken through the various delivery mechanisms.

¹⁵⁶ Question 10 in Issues and Options Consultation Document, May 2007 (CD1.9)

¹⁵⁷ EERA Regional Technical Advisory Group, item 4, 23 November 2007 (CD1.11A)

¹⁵⁸ E.g. Cambridgeshire Horizons

MONITORING

- 8.22 The text in paragraph 5.19 makes a commitment that Annual Monitoring Reports will monitor pitch provision, planning permissions granted, and progress with site specific allocations in LDDs. The Core Output Indicators for RSS and LDFs¹⁵⁹ include net changes in the number of permanent and transit pitches available for use. Some provision would also be monitored as part of affordable housing completions.
- 8.23 In addition EERA has confirmed that pitches with temporary permission will be distinguished. FFT propose that monitoring should include unauthorised sites and unauthorised encampments. We agree this is appropriate in order to gain a full picture and recommend accordingly.
- 8.24 However it is important that considerable attention is paid to the quality, consistency and reliability of information being collected. We were surprised by the number of corrections that were sought by local authorities to Caravan Count and other base data and the difficulty of checking these. There should be clear guidelines for all information being collected which include a requirement for sufficient background detail to be retained to enable an audit check. This would also provide a basis for consistent collection over time. Without this, the information being used and the monitoring which depends upon it will be unreliable. We therefore recommend that EERA issues guidelines on this.
- 8.25 Mr Beiley argued that the challenge of delivering one pitch every working day demands much more rigorous monitoring, such as monthly with an obligation for regular progress reports to Parliament and the Secretary of State. The imperative driving these suggestions is understandable but we believe the priority is not greater frequency of monitoring but robust arrangements which enable clear assessments of progress and provide the foundation for any follow up that may be appropriate.

REVIEW

- 8.26 Although its figure work covers only a short time horizon (to 2011), the draft Policy provides the basis for projecting Gypsy and Traveller accommodation requirements into the future. There are however three reasons why we consider this Policy should not only be monitored but also made the subject of a review in or as soon as possible after 2011:
- The GTAAs that have informed draft Policy H4 have only covered a five year period to 2011 and in some cases earlier. They will therefore need to be updated taking account of national guidance on methodology and evolving practice, and the effects of an increased level of authorised pitch provision (although to what extent a wider choice of site locations will have been implemented by then is debatable).
 - We had insufficient evidence at the Examination to test fully the projected post 2011 distribution. There may however be some ways in which future Gypsy and Traveller accommodation can have a closer alignment with the East of England Plan particularly in respect of planned major development.
 - This timing would allow an updated policy to be included in the first Single Regional Strategy if current Government plans for their introduction proceed.

¹⁵⁹ RSS/LDF Core Output Indicators, CLG, July 2008 (CD3.12)

8.27 We have already argued in Chapter 3 for a coordinated round of updated GTAAs to be completed by 2011 so that EERA, or a successor RPB equivalent, can take a strategic view of the results across the region. Our views on issues that could usefully be strengthened in the next round of GTAAs are included in Recommendations 2.1 and 6.2. We recommend that this timescale for the next review should be added to the supporting text of the Policy.

Recommendation 8.1

Revise the text in paragraph 5.18 to give a stronger confirmation of the role of the Delivery Plan and the involvement of the Homes and Communities Agency and other partners.

Recommendation 8.2

State in the supporting text to Policy H4 that it will be reviewed in 2011.

In process terms:

Recommendation 8.3

Annual monitoring should distinguish pitches with temporary and permanent permission, and include unauthorised developments and encampments.

Recommendation 8.4

EERA should issue guidance on definitions and record keeping for all information to be collected as part of annual monitoring and the Caravan Count.