

CITY OF PLYMOUTH

Subject: Gypsy and Traveller Sites
Committee: Cabinet
Date: 23 August 2011
Cabinet Member: Councillor Fry and Councillor Jordan
CMT Member: Directors for Community Services and Development and Regeneration

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Ref: R 20110726 Gypsy Sites

Key Decision: Yes

Part: I

Executive Summary:

Plymouth is facing an increasingly difficult problem arising from the shortage of Gypsy and Traveller sites (henceforth referred to solely as Gypsy sites) in Plymouth. Problems and costs associated with unauthorised encampments and developments are particular pressures. The local need for new sites is intensifying at the same time that emerging national policy guidance is encouraging authorities to make provision to meet locally identified need. The City Council cannot ignore the situation and needs to decide the way forward.

Plymouth and the surrounding area need more pitches for Gypsies, with both transit sites and permanent sites required. The City Council has a positive track record of dealing with this issue having started work towards meeting these needs under requirements of the previous Government. However, despite proactive work and strong local leadership on this issue, no new sites have been delivered. The Coalition Government have published new national policy guidance relating to site provision which was subject to a 16 week consultation period ending on 3 August 2011. Although the Government is committed to scrapping Regional Spatial Strategies the duty to provide sites to meet locally assessed need is likely to remain.

The identified need is for approximately 50 pitches, as set out in the Plymouth Core Strategy Policy CS17. Set against this unauthorised encampments are increasing - typically the city gets 20-25 a year. During 2010 however this rose to 40 and the

trend remains upwards. Because of the duties placed on local authorities the estimated current cost of dealing with these is around £200,000.

The Coalition Government has allocated £60m to fund the provision of new Gypsy sites through the National Affordable Homes Framework. Plymouth Community Homes have submitted a bid to develop a transit site subject to agreement with the City Council to develop and manage it. Through the site assessment work undertaken officers have identified land in City Council ownership at Broadley Park Roborough, within South Hams, as the most suitable location for a transit site.

Planning permission for a permanent site at Military Road, Efford has been secured, but to date no grant funding has been secured to build it. Other authorities, for example, Somerset County Council have successfully encouraged private sector investment in Gypsy sites. This may offer an alternative way of delivering permanent sites in the future.

Following extensive earlier consultations with local communities, there is still a need to identify other sites to meet the locally assessed need. Following consideration of all the representations received it is proposed that two sites at Mowhay Road, adjacent to the St Budeaux By-Pass should be supported in principle.

Broadley Park and the two sites off the St Budeaux By pass (Mowhay Road), along with sites that already have planning permission at Ridge Road and Military Road will provide a sufficient number of pitches to meet the identified need. Consequently all other sites previously suggested no longer need to be pursued.

The recommendations in this report set out a clear strategic direction to meet the locally assessed needs for sites in the short, medium and long term, to comply with Core Strategy commitments and to enable compliance with the Coalition Government's emerging national policy for Gypsy sites. This report represents an urgent key decision for which agreed procedures have been followed.

Corporate Plan 2011-2014:

Providing Gypsy sites relates to the corporate priority for growth and the associated level 2 indicator, providing affordable homes; and to the corporate priority to reduce the inequality gap, particularly in health, between communities.

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land:

Cost avoidance could be realised through a reduction in the number of unauthorised encampments and a reduced likelihood of planning appeal awards being made against planning decisions. It is the intention that Council run sites become self funding through rental income. Options for funding the development of sites are discussed in the report and would be reviewed by the Capital Delivery Board.

Other Implications: e.g. Community Safety, Health and Safety, Risk Management and Equality Diversity and Community Cohesion:

Key risks include costs and community tensions associated with unauthorised encampments and developments. Emerging guidance indicates that planning appeals are more likely to succeed in the absence of adequate site provision; and the lack of a transit facility severely hampers the City Council's ability to manage unauthorised encampments. Failure to identify and develop a transit site risks not being able to use grant funding which may be available.

A full EIA will be completed on the proposals in this report.

Recommendations & Reasons for recommended action:

- 1 Support in principle the identification of sites at Mowhay Road, St Budeaux By pass, Military Road, Efford and Broadley Park for meeting Plymouth's identified need for Gypsy and Traveller sites.

Reason:

To meet the identified need for Gypsy and Traveller sites in accordance with the provisions of Policy CS17 of the adopted Plymouth Core Strategy, and emerging national planning guidance.

- 2 Instruct officers to undertake a tendering process with the view to selecting a preferred bidder to acquire a lease to develop the site at Military Road, Efford as a Gypsy & Traveller site.

Reason:

To deliver a Gypsy and Traveller site at Military Road, Efford in accordance with the planning permission already granted to achieve the best value for money approach with minimum cost to the City Council.

- 3 Instruct officers to submit a planning application at Broadley Park, Roborough as the location for a transit Gypsy & Traveller site, subject to funding being allocated from the Plymouth's Affordable Homes funding bid.

Reason:

To minimise cost and disruption caused by unauthorised encampments, and for the benefit and welfare of the travelling communities and local residents.

- 4 Instruct officers to undertake further assessments of delivery options for the two sites at Mowhay Road, St Budeaux By-pass (Mowhay Road) including the taking of appropriate measures to secure delivery through funding bids.

Reason:

To minimise cost and disruption caused by unauthorised encampments, and for the benefit and welfare of the travelling communities and local residents.

Alternative options considered and reasons for recommended action:

Tolerating the current situation is not a realistic option, because:-

- An unplanned, ad hoc and reactive approach will incur increased costs, arising from dealing with unauthorised encampments estimated at £200,000 to £300,000 a year and other costs arising from possible breaches of planning control and related appeals.
- An unplanned approach is inconsistent with commitments in the Corporate Plan and will damage the reputation of the City Council as a progressive forward thinking authority.
- Unauthorised encampments costs will remain (or rise) and management of them will become more difficult.
- Unauthorised developments will rise and there is an increased risk of planning applications being allowed at appeal, with associated costs being awarded against unreasonable planning decisions.
- Gypsies' needs will not be met and therefore significant inequalities will remain.

Background papers:

DCLG – Planning for Traveller Sites: Consultation, April 2011

Affordable Homes Programme 2011-15 Framework, 14th July 2011

Arup Mowhay Road Site Appraisal, April 2010

Gypsy and Traveller Sites Consultation Document, 31 March-12 May 2009

Gypsy and Traveller Site Public Consultation Summary Report October 2009

Gypsy and Traveller Sites Study/Evaluations, various dates 2008 to 2010

Adopted Plymouth Core Strategy, April 2007

Sign off:

Fin	Dev F11 120 025	Leg	DVS 1249 2	HR		Corp Prop GP		IT		Strat Proc	
Originating SMT Members - Pete Aley and Paul Barnard											

1. Introduction

- 1.1 This report outlines the current situation over Gypsy sites in Plymouth and recommends a proactive and positive strategic approach.

2. Background

- 2.1 Plymouth has one official Gypsy site (13 pitches at the Ride, Plymstock) and over the past couple of years has been proactively working to identify further sites to meet an assessed need for approximately 50 more pitches.
- 2.2 The key reasons for taking a proactive and strategic approach rather than a reactive one has been:-
 - Customer focus – despite widespread local opposition, provision of official sites is the only sustainable way of reducing unauthorised encampments which lead to many complaints, and adverse publicity. The provision of decent sites will have a significant positive impact on the health, education and well being of the Gypsy community.
 - Legislation –the adopted Plymouth Core Strategy based on evidence for the Regional Spatial Strategy, identified a need for approximately 50 pitches.
 - Local pressures – Plymouth has experienced 20-25 unauthorised encampments a year at an estimated cost of around £200,000 per year. With no official transit site, managing these is proving very difficult.
- 2.3 Since the adoption of the Plymouth Core Strategy the City Council has made significant progress on this issue with strong leadership on the Gypsy and traveller issues, obtaining planning permission for a site at Military Road in Efford, submitting bids to fund the Efford site (unfortunately unsuccessful) and undertaking consultations with local communities through the Local Development Framework. Officers have also undertaken informal discussions with a neighbouring authority over potential for a shared site demonstrating that the City Council takes this issue, and its obligations, seriously.
- 2.4 However, despite this no new sites have been delivered and there is now a trend towards unauthorised encampments and developments on private land owned by Gypsies.

3. Changing National Context

- 3.1 The Government has announced its' intention to abolish Regional Spatial Strategies along with the existing planning guidance on Gypsies and Travellers. However because Plymouth had already addressed the strategic issue of need through its Core Strategy this does not fundamentally alter the policy context for meeting the needs of Gypsy and Travellers.

- 3.2 The Department for Communities and Local Government (DCLG) has recently consulted on new planning guidance. This is set in the context of the Conservative Party's pre-election publication "Open Source Planning" and the Coalition's Programme for Government. The new guidance which includes Gypsies, Travellers and travelling show people aims to:
- enable local planning authorities to make their own assessment of need for the purposes of planning
 - enable local planning authorities to use their assessment of need to set their own targets for pitch/plot provision
 - encourage local planning authorities to plan for sites over a reasonable timescale
 - ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites
 - promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites
 - reduce the number of unauthorised developments and encampments and make enforcement more effective if local planning authorities have had regard to this policy
 - ensure that the development plan includes fair, realistic and inclusive policies
 - increase the number of traveller sites, in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
 - reduce tensions between settled and traveller communities in plan making and planning decisions
 - enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure.
- 3.3 Grant funding for Gypsy sites has resumed. The National Affordable Housing Programme (NAHP) for 2011-15 has allocated £60m to fund new sites. Grant applications from local authorities and housing authorities and traveller community groups working with Registered Housing Providers¹ have been invited but there is no more 100% funding for sites.

4. Local Context

- 4.1 The requirement to meet locally assessed need for more pitches will remain and the Council's own adopted planning policies (Policy CS17 of the Core Strategy adopted in April 2007) require provision for approximately 50 pitches in the plan period 2006 – 2021.
- 4.2 Unauthorised encampments are increasing with over 40 during 2010, compared to a around 20-25 per year previously. Typically these consist of around 5 caravans but we have had as many as 30 on a single site and it is not

¹ Registered providers are those that have met the Tenant Services Authority requirements for registration.

unknown for more than one group to be present in the City at a given time. It is these more than anything else that generates complaints. Unless Plymouth delivers an official transit site (and more permanent pitches) this trend is likely to continue and costs could rise to over £300,000 a year. Costs include welfare checks, provision of bins and toilets, clean-up, legal processes etc. Given the City Council's broader budget position this would be an untenable increase.

- 4.3 In addition to the direct costs a significant amount of officer time is spent managing unauthorised encampments. Staff spend a considerable amount of time dealing with customer contacts concerning unauthorised Gypsy encampments, as well as undertaking site visits to do welfare checks, co-ordinating input from land-managing, legal and other services, and advising private land owners. Unauthorised encampments receive significant press attention and cause significant concerns to local residents. Both have implications for the reputation of the City Council in this policy area.
- 4.4 A transit site would reduce the number of unauthorised encampments and make management of the remaining ones much more efficient. A wider range of legal powers would be available to us making it much easier and quicker to move people from unauthorised sites. Official provision would make it less likely that they would be set up at all.
- 4.5 Plymouth Community Homes have submitted a bid within the NAHP to cover the cost (£790,000) of developing a 15 pitch transit site subject to the City Council taking responsibility for developing the site and managing the facility, or being responsible for commissioning suitable contractors. The Homes and Communities Agency (HCA) have indicated that this bid will be looked on favourably and it is anticipated that an announcement on this will be made in autumn 2011. To ensure Plymouth benefits from a successful application, it is essential that the City Council presses ahead with the identification and development of a transit site.
- 4.6 No site is named in the bid. Officers have examined all previously identified potential sites and other land in public ownership. This assessment and analysis has resulted in the identification of land at Broadley Park, Roborough as a suitable transit site. The HCA have advised that the land value attached to this site is likely to be regarded as a sufficient contribution to the development costs. Like all potential Gypsy sites there are some barriers to development for this purpose but officers consider that these are not insurmountable.
- 4.7 Permanent sites also offer some help with reducing unauthorised encampments and have the most positive effect on Gypsies' well-being. However, in line with a more enabling future role for the City Council, other providers may be better placed to develop and run Gypsy and Traveller sites. Potential alternatives approaches include the identification of sites via the Local Development Framework, including sites suitable for Gypsies to develop privately, Registered Social Landlord involvement, or more private sector involvement.

- 4.8 Officers have been investigating possible alternative delivery models from elsewhere. Somerset County Council has recently sold a number of sites to a private sector investor with strong links to the Gypsy and Traveller community. A similar approach could be used to develop the Military Road site at Efford. The land on which the City Council have secured planning permission for a Gypsy site (but failed to get funding for) could be transferred to a provider, on a long lease with use restricted to a Gypsy site.
- 4.9 The new planning guidance looks likely to strengthen the powers available to local authorities to control unauthorised developments of Gypsy sites. It will however remain the case that planning permission is more likely to be granted on appeal if the City Council has not identified a sufficient supply of available sites to meet the identified needs for Gypsy and Traveller communities. Doing nothing about the current situation will mean that more and more Gypsy sites could come through this route, and the City Council would lose the strategic ability to influence land allocations for Gypsy sites, as well as miss out on various funding sources.

5. Local Planning Issues

- 5.1 The City Council have been seeking to identify additional Gypsy and Traveller sites for a number of years in order to respond to national policy and local need. Policy CS17 of the Adopted Core Strategy identifies the need for approximately 50 pitches, along with the criteria against which suitability will be considered.
- 5.2 A call for suitable sites was made by the Council's Social Inclusion Unit in December 2007. Consultation also took place through the LDF process via the "Your Place Your Future" consultations during 2007 and 2008. Additionally the issues were raised at the LDF Big Picture event and the Respect Festival in 2008. Through these processes a number of sites were put forward for consideration, and were the subject of further assessment. This culminated in a specific public consultation exercise on Gypsy and Traveller sites which ran from 31 March to 12 May 2009. The report which accompanied that consultation listed 23 sites which were rejected including reasons why they were considered unsuitable, and identified 2 potential sites, one at Mowhay Road, St Budeaux By-Pass and one at Coypool, Plympton. As part of this consultation local communities were asked for suggestions for other potential sites.
- 5.3 This well publicised consultation included manned events at Coypool Park and Ride, Sainsbury's Car Park, the Novotel, the Kitto Centre, Tamarside Community College and Westpark Library. There were also permanent displays at local libraries. The consultation generated 622 comments from 422 individuals or organisations. Of these 498 related to the Coypool site, 46 to the Mowhay Road site, and 78 general comments including some suggestions for other sites. In addition there was a petition signed by 289 people who opposed the site at Coypool.

- 5.4 In total sixty two alternative sites were suggested, a number of which had already been investigated, and rejected, and others which were clearly inappropriate. However one site which was put forward by a private land owner and located off the St Budeaux by pass to the east of the Mowhay Road site is considered to have potential. Officers have considered carefully all the representations made, and assessed the suggested sites in line with provisions of the Core Strategy and national guidance. It has been concluded that the following sites should be supported in principle:

Table 1: Proposed Potential Gypsy and Traveller Sites

Site	Permanent Pitches	Transit Pitches	Total
Military Road Efford (with p.p.)	10	0	10
Other approved small sites (post 2006)	4		4
Broadley Park, Roborough		15	15
Mowhay Road (West of By-pass)	15		15
Mowhay Road (East of By-pass)	15		15
TOTAL	44	15	59

- 5.5 Appendix I shows the site plans for all the above sites. Table I shows the preferred sites with their potential to deliver the number and type of pitches to meet the Core Strategy target. This table shows the potential capacity, the exact breakdown between transit and permanent pitches could change depending upon need. If the above sites are agreed in principle, as recommended, then Plymouth will have met in full the identified needs of the Gypsy and Traveller communities and would therefore be in compliance with the Coalition Government's emerging national planning policy framework. This demonstrates that there is therefore no need at this time to continue to promote any of the other sites that have been suggested in the previous public consultations. Accordingly all the other sites listed in Appendix 2 to this report, many of which being subject of considerable objection, should be rejected for consideration during the current LDF plan period (2006 – 2021).
- 5.6 The City Council is working with South Hams District Council and Devon County Council on the Plymouth Urban Fringe DPD. Representations have been received about the lack of consideration of Gypsy and Traveller sites. The Broadley Park site, owned by the City Council, lies just over the city administrative boundary and within the Urban Fringe study area. This area has seen considerable pressure from unauthorised encampments, and as such officers are of the opinion that this site is considered to represent a suitable location for a transit site. Informal discussions have been held with South Hams District Council but further work is necessary to address various matters related to this land. Provision of this site would also comply with the anticipated provisions of the emerging Localism Bill and planning policy reforms which will introduce a duty on councils to co-operate and work together across boundaries to address key policy issues.

6. Conclusion

- 6.1 Dealing with Gypsy and Traveller sites is a controversial and sensitive issue, but it is essential that the City Council agrees a strategic and proactive approach so that time and resources are not wasted on reactive work that does not address the underlying issues of need and community cohesion.
- 6.2 The City Council should therefore continue to work towards identification of Gypsy sites in Plymouth to meet the identified need and, in particular, reduce pressures from unauthorised encampments and developments, on the following basis:-
- Support in principle the identification of sites at Mowhay Road, St Budeaux By pass, Military Road, Efford and Broadley Park for meeting Plymouth's identified need for Gypsy and Traveller sites.
 - Support in principle Broadley Park, Roborough as the preferred location for a Transit site, ideally working in partnership with South Hams District Council, and authorising officers to submit a planning application.
 - Identifying a provider to acquire a lease to develop City Council-owned land at Military Road, Efford as a permanent Gypsy site.
 - Rejecting all other sites that have been previously suggested for the Core Strategy plan period (2006-2021).
 - Instructing officers to undertake further assessments of delivery options for the two sites at Mowhay Road, St Budeaux By-pass (Mowhay Road) including the taking of appropriate measures to secure delivery through funding bids
- 6.3 By taking a strategic and proactive approach the vision set out in this report is for site provision to be made to meet the needs of the Gypsies and Travellers in a planned and orderly way to avoid haphazard developments and encampments that cause anxiety, disruption and tensions to established residential communities within Plymouth.