

Shaping Our Place 2026

Local Development Framework

Core Strategy

Policy Direction Paper
Gypsies and Travellers

January 2010

CORE STRATEGY POLICY DEVELOPMENT

Core Policy Area (s): Gypsies & Travellers

Preferred Policy Direction

There is a commitment to meet the housing needs of Herefordshire's Gypsy & Traveller communities. The Core Strategy will contain a criteria based policy for accommodation for Gypsies and Travellers and Travelling Showpeople to provide guidance new pitches prior to the completion of the two area DPDs. The criteria policy will include emphasis on high standard of site design, waste management and recycling facilities, appearance, landscape, access to facilities and services and provide an indication of scale.

The Core Strategy will also investigate the possibility of including pitches within urban extensions according to the current need.

Provision / site allocations will be investigated within the Hereford Area Plan and the Market Towns and Rural Areas Plan for any additional pitch requirements as will investigating the scope for authorising currently unauthorised, but tolerated sites as a means of meeting needs.

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1.0 Introduction

- 1.1 This report provides background information and evidence to support the policies directions that will form part of the Core Strategy Place Shaping Paper. The full policy wording will form part of the pre-submission Core Strategy.
- 1.2 The Core Strategy will set out the vision and objectives for the Herefordshire Local Development Framework (LDF), together with the 'place shaping policies' at a strategic level, explaining how the county as a whole is expected to develop up to 2026.
- 1.3 The remainder of this report seeks to address the following questions:
 - What is the current situation (issue)?
 - What is the national, regional and local policy framework?
 - What is the available evidence base indicating?
 - What can the Core Strategy do?

- What were the results / indications for the Developing Options Consultation?
- What further consultation has taken place?
- What conclusions can be drawn?
- What happens next?

2.0 The need for the policy.

2.1 National planning policy requires local authorities to make appropriate provision for Gypsies, Travellers and Travelling Showpeople, having regard in the first instance to the outcomes of the Gypsy and Traveller Accommodation Assessment (GTAA). The current regional policy requires development plans to make adequate provision for Gypsies and other Travellers based on demand and local information.

2.2 Historically, Gypsy and Traveller communities were thought to form the biggest single ethnic group in Herefordshire. There are no official statistics of numbers on Gypsy and Traveller communities in the county but recent estimates suggest there are between 800 and 900 individuals.

3.0 The policy framework

3.1 The National Policy Context shows that the Government is committed to increasing the levels of authorised site provision for Gypsies and Travellers and Travelling Showpeople. The Government established a new policy framework to significantly reduce the current levels unauthorised camping and avoid the problems that some unauthorised sites can cause.

3.2 In attempting to tackle these inequalities and to specifically resolve the problems which unauthorised camping can create, the Government expects local authorities to take a balanced approach by carrying out effective but fair enforcement of planning policies and by working to develop new sites and improve existing ones.

3.3 *ODPM Circular 01/2006: Planning for Gypsy and Traveller Caravan sites* was issued in February 2006 and put in place a legislative framework for planning Gypsy & Traveller Sites, with local authorities having addressed the unmet need of Gypsies and Traveller within their area. The circular defines Gypsies and Travellers and recognises that some may have a lifestyle of active travel and be self-employed in occupations such as seasonal agricultural work but

that some Travellers may have a more settled lifestyle, as they work in trades which require lesser mobility or no longer travel due to issues of health and/or age. It also requires local planning authorities to first consider locations in or near existing settlements with access to local services, e.g. shops, doctors and schools.

- 3.4 *CLG Circular 04/2007: Planning for Travelling Showpeople* was issued in August 2007 and acknowledged that previous Guidance (Circular 22/91) had failed to deliver adequate sites for Travelling Showpeople. The Circular indicated that the needs of Travelling Showpeople should be treated in a similar way to those of Gypsies and Travellers and that GTAAs are to include the needs of Travelling Showpeople, which will then be incorporated into revised West Midlands Regional Spatial Strategy (WMRSS) and LDFs.
- 3.5 The Regional Planning Guidance for the West Midlands (RPG11) 2004 details the need “to provide adequate provision for suitable sites to accommodate Gypsies and other Travellers. Such provision should reflect the order of demand in the area” (Policy CF5).
- 3.6 The purpose of the current revision of the WMRSS is to update and develop Policy CF9 (Sites for Gypsies and Travellers) and formulate a new WMRSS policy on sites for Travelling Showpeople. There are four key objectives of the Gypsies, Travellers and Travelling Showpeople element of the WMRSS Phase Three review, namely:
- To significantly increase the pitch provision across the West Midlands in order to address the current under provision as expressed within the local GTAA’s;
 - To ensure there are sufficient plots to meet the accommodation needs of Travelling Showpeople;
 - To ensure that all revised Gypsy and Traveller and Travelling Showpeople policies in the WMRSS, Local Development Frameworks (LDFs) and other regional and sub-regional Strategies recognise, protect and ensure a traditional travelling of life for Gypsies and Travellers and Travelling Showpeople, whilst also respecting the interests of settled communities; and

- To ensure that all Development Plan Documents (DPDs) include fair realistic and inclusive policies in relation to the accommodation needs of Gypsies and Travellers and Travelling Showpeople and that the potential for Gypsies and Travellers and Travelling Showpeople to be evicted and thereby become homeless is avoided.

3.7 The Community Strategy¹ sets out the county's aspirations up until 2020 and its vision is that:

"Herefordshire will be a place where, organisations and businesses working together within an outstanding natural environment will bring about sustainable prosperity and well being for all."

3.8 The key issues relevant to Gypsies and Travellers which were identified in partnership with local people are: a safe and pleasant environment to live and work in, affordable housing, better information on and access to local services, improved access to health services, reducing crime and anti-social behaviour and support to live independently.

3.9 Five guiding principles, within the Community Strategy, aim to work towards the county becoming more sustainable and address these key issues. These principles are to:

- Realise the potential of Herefordshire, its people and communities
- Integrate sustainability into all our actions
- Ensure an equal inclusive society
- Build on the achievement of partnership working and ensure continual improvement
- Protect and improve Herefordshire's distinctive environment

3.10 The Community Strategy has themes and those relevant to Gypsies & Travellers are: Healthier communities and older people which seeks to improve public health, quality of life and promote independence and well being for dis-advantaged groups and safer and stronger communities that are

¹ The Herefordshire Partnership, The Community Strategy for Herefordshire "A Sustainable Future for the County", 2006

working towards a reduction in levels and fear of crime and anti-social behaviour, and to help people to be active in their communities and that fewer are disadvantaged.

3.11 The Local Area Agreement (LAA)² is agreed through partnership working and aims to demonstrate how the county's priorities will be addressed to aid a better life. It has the same themes as the Community Strategy with an additional theme on the environment following the decision to split the combined theme "safer and stronger communities". The priorities relevant for Gypsies & Travellers under these themes in the LAA are to: increase the availability of appropriate, decent and affordable housing; improve the availability of sustainable services and facilities and access to them; help vulnerable people to live safely and independently in their own homes; and to further reduce the already low levels of crime, disorder and anti-social behaviour in the county and to reduce disproportionate fear of such.

3.12 In order to avoid a policy vacuum until the Local Development Framework is adopted the Council has submitted proposals to save appropriate UDP policies. This process suggests that the Gypsy & Traveller policy, H12, set out in the UDP should be saved³.

4 Evidence base

4.1 The Gypsy & Traveller Accommodation Assessment (2008) was undertaken for the Western Market Area in 2008, and was aimed primarily to quantify the need for Gypsy and Traveller accommodation. It was highlighted that in 2007, there were 45 local authority rented pitches over 7 sites, and 36 private authorised pitches.

4.2 The study results identified that up to 2012 there was a requirement of 83 pitches for Herefordshire, and between 2012-2017 there was an additional requirement of 26 pitches due to family growth, this gives a total requirement for 109 pitches in the period up to 2017.

² The Herefordshire Partnership Herefordshire Story of Place Local Area Agreement 2008-2011

³ 15th May 2009 Planning Committee Report, Herefordshire UDP Saved Policies

- 4.3 The study didn't however, identify any potential locations for this accommodation need, nor did it identify what the accommodation need split was between the different communities - Romany Gypsies and Travellers. This could lead to a problem with identifying broad locations for sites as they may not be in the correct location and could result in sites being underutilised.

5 What can the Core Strategy do?

- 5.1 The Core Strategy can not allocate sites for new pitches. This provision would need to be included with the area specific DPDs (HAP & MTRAP). However, the Core Strategy can include a policy indicating criteria which would need to be met either by allocating sites within these DPDs or through the development management process. The Core Strategy can also include the requirement for the provision of Gypsies and Travellers sites within urban extensions.
- 5.2 The Core Strategy, Vision and Objective Background Paper, January 2010⁴ sets the vision for the county as seeking "...sustainable development fostering a high quality of life for those who live, work and visit here...interdependence of social progress...and environmental quality with the aim of increasing the county's self-reliance and resilience." A policy on Gypsy and Traveller Site provision should relate to this in order to address the key issues, also set out in the January 2010 paper, of "ensuring appropriate housing provision and affordability" and "provision/access to important services/facilities".
- 5.3 Three objectives – 1, 2 and 10 of the emerging Core Strategy relate to Gypsies and Travellers. The social progress objectives, objective 1, "to meet the housing needs of all sections of the community (especially those in need of affordable housing)" and objective 2 "to improve the health, well-being and quality of life of all residents by...positively contribute towards better access to, provision and use of ... facilities."

⁴ The Core Strategy Developing the Vision and Objective background paper January 2010 is available at

[http://www.herefordshire.gov.uk/docs/Vision_and_Objectives_January_2010\(1\).pdf](http://www.herefordshire.gov.uk/docs/Vision_and_Objectives_January_2010(1).pdf)

- 5.3 The Environmental quality objective 10 of the Core Strategy Paper, “to achieve sustainable communities...by delivering well-designed places, spaces and buildings...”
- 5.4 Any potential policy criteria or site allocation would need to help achieve these objectives and address the key issues.

6 **Developing Options Consultation Results**

- 6.1 The Developing Options consultation was undertaken in summer 2008. This paper contained a number of possible policy options for consideration with regards to Gypsies & Travellers the following options were given:

How should we make provision for the needs of Gypsies and Travellers?

1. Develop a countywide criteria based policy;
 2. Identify areas/locations where sites would be unacceptable due to environmental constraints; or
 3. Provide an indication of specific areas where sites are needed
- 6.2 All of the options received support, with the most favoured options being options 1 and 2. However, due to the higher number of respondents in option 1, it is felt that this would be the most favoured.

Option 1: Number of respondents 628

Yes – 82%

No – 18%

Number of no opinion / answer not provided – 354

Option 2: Number of respondents 545

Yes – 83%

No – 17%

Number of no opinion / answer not provided – 437

Option 3: Number of respondents 493

Yes – 68%

No – 32%

Number of no opinion / answer not provided – 489

- 6.3 There were 223 additional comments⁵ on the housing provision section that suggested improvements to the options. The comments that relate to Gypsies & Travellers included:
- Provide affordable and social housing where a proven need exists;
 - Gypsy & Traveller sites need better monitoring;
 - No need for Gypsy and Traveller provision
- 6.4 The Government Office for the West Midlands suggested that broad locations should be identified for Gypsies & Travellers. Hereford Access for All identified the need to encourage a better relationship with Gypsies & Travellers amongst communities; the Gypsy and Traveller sites should have acceptable onsite facilities. Shropshire County Council required considerations to cross border implications with regard to Gypsy & Traveller provision.
- 6.5 The local Herefordshire Travellers Support Group raised the following points:
- that a countywide policy should be developed for Gypsies and Travellers;
 - explore the advantages of producing topic based Development Plan Document or reasons for inclusions within an allocation document should be made clear;
 - legalise tolerated Gypsy & Traveller sites; and
 - criteria should address accommodation needs in the creation of Gypsy and Traveller sites
- 6.6 The Developing Options consultation responses did not identify any distinctive reasonable alternative options to theses already consulted upon.
- 6.7 The consultation responses would suggest that the policy direction on Gypsies & Travellers should consider the following:
1. identify a county-wide based policy;
 2. identify possible broad locations for council run sites; and
 3. criteria needs to ensure the recognised accommodation needs are met.

⁵ Core Strategy Developing Options Analysis Schedules March 2009

- 6.8 The Sustainability Appraisal⁶ showed that all options are considered to be reasonable and moving towards sustainability on a social and economic level. Options 1 and 3 are also moving towards sustainability on an environmental level.
- 6.9 In terms of Habitat Regulation Assessment⁷ all options suggest that location choice may affect disturbance pressures to particular sites.
- 6.10 No clear alternatives from the SA or HRA assessment process were identified.
- 6.11 These consultation responses helped to establish a preferred policy direction of a criteria based policy, within the Core Strategy, to provide guidance for new pitches prior to the completion of the two area DPDs. Further provision / site allocations will be investigated within the Hereford Area Plan and the Market Towns and Rural Areas Plan. This policy direction will be available for consultation within the Place Shaping Paper in January 2010.

7.0 Further consultation undertaken and Sustainability Appraisal

- 7.1 It is proposed to consult the following organisations in developing the draft policy wording, Travellers Support Group, Travellers Health Project, Herefordshire Partnership, Hereford Access for All, Wye Valley AONB and Malvern Hills AONB with the involvement of the council's Development Management, Strategic Housing, Environmental Health section and Gypsy Liaison officers and the Gypsy & Traveller Working Group.
- 7.2 SA and HRA assessments will be undertaken to assist in developing the policy wording.

8.0 Conclusion

⁶ Core Strategy Developing Options Paper Sustainability Appraisal June 2008 (amended March 2009)

⁷ Core Strategy Habitat Regulation Assessment June 2008 (amended March 2009)

- 8.1 Nationally planning policy requires the appropriate provision for Gypsies, Travellers and Travelling Showpeople to be made. The GTAA highlights the required number of pitches in the period up to 2017, however does not identify potential locations or indicate accommodation split.
- 8.2 Consultation responses and evidence base information suggests a need for a countywide criteria based policy to adjudge applications and further allocations for Gypsy, Travellers and Travelling Showpeople accommodation by.
- 8.3 Currently policy H12 of the Unitary Development Plan provides criteria by which sites can be adjudged. It is proposed that the Core Strategy should contain criteria based policy which would include elements of the other two options proposed in so far as indicating environment constraints and specific sites/location requirements. The provision of Gypsies and Traveller sites will also be included in the criteria of the urban extensions in Herefordshire.
- 8.4 In the longer term, the Hereford Area Plan and Market Towns and Rural Areas Plan will consider any possible site allocations for further pitches in order to meet any outstanding requirement set out within the RSS and GTAA.

9.0 Way forward

- 9.1 In order to assess the need for further allocations of sites within the Hereford Area Plan or the Market Towns and Rural Areas Plan, the number of new sites permitted via the Core Policy will need to be monitored. This monitoring should include numbers of new pitches and accommodation type.
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