

**JOINT MEETING - CABINET MEMBERS FOR COMMUNITY COHESION,  
ECONOMIC REGENERATION AND DEVELOPMENT SERVICES AND  
NEIGHBOURHOODS**

**Venue: Town Hall, Moorgate  
Street, Rotherham.**

**Date: Wednesday, 6 December 2006**

**Time: 9.00 a.m.**

**A G E N D A**

1. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
2. To determine any item which the Chair is of the opinion should be considered as a matter of urgency.
3. Minutes of the previous meeting held on 15th November, 2006 (herewith) (Pages 1 - 4)
4. Gypsy and Traveller Site Provision (report herewith) (Pages 5 - 10)

**1FJOINT MEETING - CABINET MEMBERS FOR COMMUNITY COHESION,  
ECONOMIC REGENERATION AND DEVELOPMENT SERVICES AND  
NEIGHBOURHOODS - 15/11/06**

**JOINT MEETING - CABINET MEMBERS FOR COMMUNITY COHESION,  
ECONOMIC REGENERATION AND DEVELOPMENT SERVICES AND  
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**Wednesday, 15th November, 2006**

Present:- Councillor Hussain (in the Chair); Councillors Ali, Barron, Ellis, Kaye, Sangster and Smith.

Apologies for absence:- Apologies were received from Councillors Burke and Burton.

**1. POSITION STATEMENT FOR GYPSIES AND TRAVELLERS IN  
ROTHERHAM**

Consideration was given report presented by the Neighbourhood Strategy Manager, which provided a summary of information about the gypsy and traveller community in Rotherham and the potential implications for the Council in meeting their needs in the borough.

The Council was currently developing a baseline for the work that needed to be developed and implemented in order to allow compliance with the requirements of the Housing Act 2004.

The absence of reliable local and national data on the size of the gypsy and traveller population was mirrored in the lack of information about their housing needs and aspirations and their access to wider services provided by statutory and non-statutory agencies. Gypsies and travellers were rarely included as separate racial groups in national, local or sector based monitoring systems, despite being recognised as separate racial groups within key legislation. Subsequently, little information was known about their experiences or needs, which, therefore, tended to be overlooked.

Rotherham has not offered any traveller site provision since 1996, when the site at Dinnington was closed. The site had existed for many years and was in an area that had a long tradition of travellers settling in the community.

Many travellers who lived in settled accommodation in the borough were reluctant to declare themselves as gypsies or travellers, and tend to indicate White British on any forms they completed for fear of harassment or discrimination.

To enable the Council to create and support sustainable, integrated communities where gypsies and travellers have equality of access to suitable accommodation including site provision, education, health and welfare provision and where there was mutual respect between all communities, the following areas of work would need to be developed:-

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- Development of a Gypsy and Traveller Strategy and Action Plan, this included the development of site provision as identified in Housing Act 2004, amendments to planning legislation and provision requirements in the Local Development Framework.
- Raise awareness of gypsies and travellers to all employees in relation to cultural diversity.
- Establish a forum with gypsies and travellers at borough and/or sub regional level.
- Make wider links with strategic authorities on the local travelling route(s).
- Development, implementation, monitoring and review of accurate detailed monitoring information of all gypsies and travellers approaching any service area across the borough (to be supported by positive images and approaches to inclusion that encourage gypsies and travellers to feel comfortable revealing their origin).
- Undertake mapping exercise and full housing and support needs analysis.
- Establishment of a working group with corporate responsibility for gypsies and travellers.
- Develop a protocol for the sharing of information at borough, sub regional and wider levels.
- Provision of a Floating Support Worker.
- A drop-in advice service.

The Head of Planning and Transportation Service also pointed out there were difficulties in identifying a site within the timescale, whether this be Council owned land or acquired specific for purpose, sustainable, on the main travelling corridor and potentially in residential areas.

The Department of Community and Local Government (D.C.L.G.) announced a grant bidding round for 2007/2008 which provided an opportunity for Local Authorities to access one off capital funding for the development of new provision or refresh of existing provision, this did not include any provision for revenue funding, nor was there any guarantee that future funding streams would be available due to the Comprehensive Spending Review.

From discussion with D.C.L.G. advice had been given that expressions of interest in the funding stream could be made with more detailed

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application to be completed by February, 2007.

This would need to be supported with detailed analysis of needs assessment and in-depth information on cost, land security, planning approval, materials to be used etc. The closing date for the initial expressions of interest was the 30th September 2006, and given this an unconditional expression of interest had been logged pending the outcome of the sub-regional needs assessment.

In terms of site management, discussions were taking place with Registered Social Landlords to ascertain if a partnership arrangement could be developed. In addition, an assessment framework was being developed in order to assess any gypsies and travellers entering the borough, not just for housing need, but social and health needs in order to provide a holistic service. At that point enforcement action would also be considered to prevent roadside encampments.

With regards to an appropriate site, consideration would also now need to be given to the facilities which must be provided and include substantial capital and revenue costs. Further consideration was being given to land availability and suitability, which must be clearly documented in the grant bid.

The duty on the Council to assess the accommodation needs of gypsies and travellers was such that a strategic approach was required, thus requiring compliance by gypsies and travellers in the assessment. However, some gypsies and travellers would not self declare their nomadic lifestyle making the analysis difficult. This would in turn have an impact on the identification of need for site provision.

There was some urgency in securing site provision as the detailed application for the grant bid had to be completed by February, 2007 and needed to take account of educational provision, areas of deprivation and capacity of local services. A sympathetic approach to site locations and consultation would be required with some degree of marketing and a mechanism for driving this forward this emotive area.

It was suggested that a policy and criteria be devised to grade site locations to justify why sites were located in specific areas. On this basis it was agreed that a further meeting be held to discuss the provision that could be provided in Rotherham and for certain criteria to be devised and formulated into Council policy.

Resolved:- (1) That the content of the report be noted.

(2) That the action plan to achieve an accurate baseline be endorsed.

(3) That a further meeting take place on Monday, 11<sup>th</sup> December, 2006 at 4.00 p.m.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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<b>1.</b>	<b>Meeting:</b>	<b>Joint Meeting - Cabinet Members for Community Cohesion, Economic Regeneration and Development Services and Neighbourhoods</b>
<b>2.</b>	<b>Date:</b>	<b>6 December 2006</b>
<b>3.</b>	<b>Title:</b>	<b>Gypsy and Traveller Site Provision</b>
<b>4.</b>	<b>Programme Area:</b>	<b>Neighbourhoods</b>

**5. Summary**

- 5.1 This paper outlines the criteria that will be used in order to develop provision of a Gypsy and Traveller Site within the Rotherham Borough

**6. Recommendations**

- 6.1 Rotherham MBC will continue to work towards provision of a Gypsy and Traveller site within the authority's boundaries based upon identified need.
- 6.2 The proposed Three Level Approach to analysing potential Gypsy and Traveller sites is adopted(Appendix 1)

## 7. Proposals and Details

### Background

- 7.1 There are over 15,000 Gypsy and Traveller caravans in England. Around three quarters are on authorised sites, many of which are well managed and are an accepted part of the Local community.
- 7.2 In 1994, the duty on Local authorities to provide sites was removed and as a consequence there has been a significant reduction in the level of provision relating to authorised sites. As a result the number of caravans on unauthorised encampments (i.e. on land they do not own and do not have permission to be on) and unauthorised developments (i.e. developing a site in their ownership but without appropriate planning permission) has increased from 3,782 in July 1994 to 4,067 in July 2005.
- 7.3 The Housing Act 2004 requires Local housing authorities to include Gypsies and Travellers in their accommodation assessments. Guidance notes outline the process by which site provision should be increased. Local Authorities therefore have to assess the accommodation needs of Gypsies and Travellers at the same time as it assesses the needs of all the population. This will inform the Regional Planning Body to undertake analysis and identify the number of pitches, which are required. The Regional Spatial Strategy will then specify the number of sites needed within the Region and Sub Region. It will be left to each Local Authority to work out how to contribute sites to meet this regional number, and to identify appropriate locations for them.
- 7.4 Should the Local Authority fail to identify sites, despite a clear need, the Secretary of State has the power to direct it to do so (1.)
- 7.5 To allow a decision to be made on the location of safe and sustainable site rigorous criteria will have to be adopted to ensure the suitability and acceptability of the provision. It is proposed to adopt a Three Level method of selection to ensure that all considerations are met. (Attached at **Appendix 1**)

### Proposals

- 7.6 The three level method of site criteria has been devised by using national planning guidance on Gypsies and Travellers sites combined with considerations regarding all residential developments.

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1 *Planning For Gypsy And Traveller Caravan Sites*

ODPM circular 01/2006

Section 32 : The Government has powers to intervene in the plan-making process where it considers that the constraints being proposed by Local authorities are too great or have been inadequately justified. This will include where a Local planning authority does not adequately address gypsy and traveller site provision in its area

- 7.7 Level three of the method requires a more detailed analysis of the site to be carried out. This will involve doing a thorough investigation of all the issues connected to each individual site.
- 7.8 The method has been devised to help with the location of a site for Gypsies and Travellers and does not form part of the policies used in developing the Local Development Framework (LDF)
- 7.9 Work is on going on the LDF process. However, the criteria contained in this report have been devised in order to meet the conditions and timescales of the Gypsy and Traveller Site Grant application process.

## **8. Finance**

- 8.1 Central Government has made £56 million over a 2 year period through the 'Gypsy and Traveller Sites Grant' to develop new provision for Gypsies and Travellers £2.632 of this million has been allocated to the Yorkshire and Humber Region. The grant is now in its second year and £1.6m remains to be allocated.
- 8.2 The Grant covers 100% of costs for the development of new sites. However, because of the limited amount of funding available it is likely that a contribution to the costs of setting up and equipping a site will be required. Although at the time of writing this amount is unknown.
- 8.3 Revenue costs are not included in the grant. However once sites are operational they are likely to be self funding through rental income, subject to the site being fully occupied.
- 8.4 Rotherham MBC has expressed a tentative expression of interest with Government Office for Yorkshire and the Humber to draw upon money from the 'Gypsy and Traveller Sites Grant'.

## **9. Risks and Uncertainties**

- 9.1 If Rotherham does not provide a Gypsy and Traveller site there is a very real possibility that there could be Government intervention to ensure that provision is made.
- 9.2 Where ever a site is proposed there is likely to be an adverse Local reaction. This will need to be dealt with in a sensitive and positive way.

## **10. Policy and Performance Agenda Implications**

- 10.1 The ODPM Guidance for Local Authorities Circular 01/2006 (February 2006), on "Planning for Gypsy and Traveller Sites" set out a directive to 'create and support sustainable, respectful, and inclusive communities where Gypsies and Travellers:
- have access to suitable accommodation, education, health and welfare provision';



- to 'reduce the number of unauthorised encampments and the conflict and controversy they cause';
- to 'offer alternative provision to campers'; to 'increase significantly the number of Gypsy and Traveller sites in appropriate locations with planning permission';
- to 'recognise, protect and facilitate the traditional way of life of Gypsies and Travellers, while respecting the interests of the settled community.

10.2 The Human Rights Act 1998 requires Local authorities to consider the implications of taking enforcement action against Gypsies, Travellers and to consider whether the action is necessary and proportionate in the circumstances. The Act stresses Gypsy and Traveller rights to family life.

10.3 The Race Relations (Amendment Act) 2000 places a general duty on statutory authorities to eliminate unlawful discrimination, and to promote equality of opportunity and good race relations when carrying out their functions. Both Gypsies and Irish Travellers are legally recognised to be ethnic minorities against whom discrimination is unlawful.

10.4 *Every Child Matters* and the subsequent Children Act 2004, aim is for every child, whatever their background or their circumstances, to have the support they need to be healthy happy and safe, to achieve economic independence and to make a positive contribution to society. The framework stresses the inclusion of Gypsy and Traveller children.

10.5 'Breaking the Cycle: Taking stock of progress and priorities for the future' published in 2004 by The Social Exclusion Unit. Gypsies and Travellers were highlighted as at high risk of being socially excluded. Rotherham MBCs Social Inclusion Framework also recognises that people who travel are at significant risk of social exclusion.

## 11. Background Papers and Consultation

*Planning for Gypsy and Traveller Caravan Sites*

ODPM 2 February 2006

*Gypsy and Traveller Accommodation Assessments Draft practice guidance*

ODPM February 2006

*Local Authority Gypsy/Traveller Sites in England*

ODPM July 2003

*Gypsy and Traveller Sites Grant Guidance 2006-2008*

Department for Communities and Local Government (July 2006)

*Report of the LGA's Gypsy and Traveller Task Group*

Local Government Association June 2006

*Breaking the Cycle: Taking stock of progress and priorities for the future*

Social Exclusion Unit 2004

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## Annexe 1

**Three Level Approach to Analysing Potential Gypsy and Traveller Sites**

(Each proposed site must score above a total of 6 to proceed to the next level)

Each issue can be scored on a scale from minus 5 to plus 5.

**Level 1 - Location**

<b>Issue</b>		<b>Score - 5 to + 5</b>
<b>1. Does the site have any Nationally recognized designations?</b>	For example. SSSI, NNR, Scheduled Ancient Monuments, Historic Landscapes or: <ul style="list-style-type: none"> <li>• Green Belt</li> <li>• Conservation Area</li> <li>• Other Locally recognized designations</li> <li>• Retail/Commercial Allocation in Local Plan</li> <li>• Industrial/Employment Allocations in Local Plan</li> <li>• Protected Mineral Workings</li> </ul>	
<b>2a. Is the site in close proximity to a hazardous area?</b>	<ul style="list-style-type: none"> <li>• Flood Plain</li> <li>• Contaminated Land</li> <li>• Hazardous Installations</li> <li>• Poor Drainage</li> <li>• Poor Highway Safety</li> <li>• Dual Carriageway, Railway Line, River</li> </ul>	
<b>2b. Can any of the above be addressed through mitigation or through sensitive design of the site?</b>	Yes No	
<b>3. Is the site on brownfield land?</b>	Yes No	
<b>4. Is the site within 1500m of a primary school with place on the school roll?</b>	Yes No	
<b>5. Is the site close to a public transport route that serves a secondary school where capacity can be provided?</b>	Yes No	
<b>6. Does the site have reasonable access to a primary care facility where capacity can be provided?</b>	Yes No	
<b>7. Does the site cause significant harm to Local amenity, Local infrastructure or agricultural interests?</b>	Yes No	
<b>8. Is the site within 1500m of at least three Local amenities?</b>	Yes No	
<b>9. Is the site provided with a good Local public transport service?</b>	Yes No	

## Level 2 – Access and Infrastructure of Sites

Sites must have a Level 2 score of 3+ to proceed to Level 3

<b>Issue</b>		<b>Score - 5 to + 5</b>
<b>1. What is the maximum number of pitches that could be placed on the site?</b>		
<b>2. Is basic infrastructure (water, electricity,) available on site or within a reasonable distance away from the site to enable a practical connection?</b>	Yes No	
<b>3. Does this basic infrastructure have the capacity to serve the maximum site capacity?</b>	Yes No	
<b>4. Is the only means of access through an industrial area, recognised commercial area or housing estate?</b>	Yes No	
<b>5. Can the site be serviced by an independent vehicular access point, which adheres to the Highway Authority's guidance and standards?</b>	Yes No	
<b>6. Does the site have a safe pedestrian access/route to the nearest settlement?</b>	Yes No	

## Level 3 – Deliverability, Design and Impact

The highest scoring/rated sites will have a detailed assessment considering the elements in the table below along with a draft illustrative layout prepared for illustrative purposes.

<b>Element</b>	<b>Issues to Address</b>	<b>Topics for Exploration</b>
<b>Deliverability</b>	1. Ease of Acquisition	Private/Public Ownership Purchase /Lease
	2. Notional Costings	Land Value Utility connections Road infrastructure Landscaping
<b>Design and impact</b>	3. Satisfaction of identified need	Identified need Establish optimum site size Establish practical 'draft' layout
	4. Effect on residential amenity of nearby residential properties	
	5. Level of visual impact	Level of harm Possible mitigation measures
	6. Site Appraisal	Topography Aspect Level and quality of existing vegetation
		Any other relevant issues