

1.	Meeting:	Joint Meeting - Cabinet Members for Community Cohesion, Economic Regeneration and Development Services and Neighbourhoods
2.	Date:	6 December 2006
3.	Title:	Gypsy and Traveller Site Provision
4.	Programme Area:	Neighbourhoods

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.

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

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

Level 2 – Access and Infrastructure of Sites

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

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

Element	Issues to Address	Topics for Exploration
Deliverability	1. Ease of Acquisition	Private/Public Ownership Purchase /Lease
	2. Notional Costings	Land Value Utility connections Road infrastructure Landscaping
Design and impact	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