

3. Gypsy and Traveller Briefing Note for Joint Area North Committee September 2009 (Item for information)

Provided by Councillor Ric Pallister.

Gypsies and Travellers in South Somerset

The travelling community has been a traditional part of rural life in South Somerset and across the region for hundreds of years. Historically, Gypsies and Travellers have lived comparatively peacefully alongside other local households and have provided an important economic manpower resource by travelling to where seasonal agricultural work or construction work was needed. The changes in employment opportunities, health considerations and educational need alongside the removal of traditional stopping places has impacted dramatically the lives of the travelling community over the past thirty years and forced a more settled lifestyle.

South Somerset District Council manages two permanent Gypsy and Traveller sites, one at Chubbards Cross, Ilton with six pitches and one at Marsh Lane, Tintinhull with eight pitches, which were transferred from the County Council in 2002.

Having legitimate sites enables those Gypsies and Travellers to gain access to education and health facilities and integrate with the local community. There is a legal requirement that we make provision for Gypsy and Traveller accommodation, including both residential and transit pitches. This provision could be in the form of sufficient land 'allocated' in planning terms for use as Gypsies and Traveller sites through the new Local Development Framework (LDF); it does not necessarily mean that we have to 'provide' the sites as a municipal landlord.

Not only are we required to ensure provision, but without lawful sites there will be more occurrences of Gypsy and Traveller unauthorised developments and inappropriate encampments on land that does not have planning permission.

The general public and elected members demand that inappropriate encampments are stopped and unauthorised developments removed. Often they have an effect on the local environment and land, on local communities, and a knock-on effect for the council, which is responsible for enforcing planning law. Where pitch provision does not match the need, either for permanent or transit use, conflict invariably occurs. The legal costs associated with taking enforcement action can run into hundreds of thousands of pounds all at the council tax payers expense. Where local authorities are failing to make adequate provision through the grant of planning permission, the Planning Inspectors have been directed to take this into account when making their decisions at Appeal. This can lead to a grant of permission on land that is not in an ideal location.

South Somerset District Council's approach to Gypsies and Travellers

South Somerset District Council has a policy of toleration towards the Travelling community and works to develop and maintain a better understanding, between the travelling community and local agencies, communities and individuals.

It is an issue that receives much attention, from councillors, local people, media and staff.

The council is working to:

- enforce planning controls in a fair way, firmly and consistently
- strengthen relations between local households and travelling people
- work with parish councils and local councillors, as well as local people, in creating a greater understanding of the problems facing our Gypsy and Traveller community

Considerations are:

- Upholding the rights of all local residents, including Gypsies and Travellers, to live peacefully and safely, with mutual respect for the rights of others.
- Respecting the race, culture, history and lifestyle of the Gypsy Community including their aversion to "bricks and mortar"
- Applying planning policy fairly and firmly in relation to Gypsy and Traveller sites.
- Engaging with Gypsies and Travellers and the local community in order to make available appropriate and authorised Gypsy and Traveller sites - identifying suitable additional sites, where necessary, and accommodating the service needs of travelling people, wherever possible
- Giving full consideration to proposed private sites when Gypsies and Travellers approach the council in advance about their proposals
- Safeguarding and defending the local environment and local facilities & services from issues flowing from unlawful and unplanned Gypsy and Traveller encampments and developments
- Promoting greater community cohesion between the settled and Travelling communities.

What is SSDC's duty with respect to the provision of Gypsy and Traveller accommodation across the District?

Through the Regional Spatial Strategy (RSS), we are required to make provision for thirty Gypsy & Traveller pitches by 2011, of which twenty are to be residential and ten as transit pitches or emergency stopping points.

The figure of thirty may decrease if current pitch planning applications are approved (including through appeal!). On the other hand, the current Somerset wide Gypsy and Traveller Accommodation Needs Assessment (GTAA, completion due 2010) may show a further demand. Should the RSS be abolished through a change of Government, the requirement identified through the previous GTAA will continue to exist.

Whilst the requirement is to 'provide' sufficient pitches, it is unlikely that the Local Development Framework (LDF) will have progressed sufficiently on this issue by the 2011 deadline imposed by the RSS.

SSDC's recently adopted Corporate Plan has a stated aim as follows:

3.9 Increase the number of gypsy & traveller residential pitches to 20 and transit (temporary) pitches to 10 in the District by 2011

What is SSDC doing?

In order to meet Corporate Plan targets SSDC has recently completed, along with the other five Somerset Local Authorities, an Affordable Housing and Accommodation land search across the County. This has targeted land in public ownership, or similar

ownership where a willing landowner has co-operated. The search is designed to identify land suitable for Affordable Housing. Our consultants are now working with the various landowners to establish whether appropriate pieces of land identified in the search as suitable, can be made available for use as a gypsy and traveller site, subject to a grant of planning permission. The Councils preference is to acquire a network of small sites for extended families not normally exceeding three pitches.

Permission has recently been granted for four pitches at Fivehead and for two additional (non-personal) pitches at Pitney Hill, thus reducing our target to 24, of which 14 must be residential. Should further planning permission be forthcoming on privately sponsored sites, the shortfall to be met will reduce further.

The council's task is to facilitate the provision of sufficient pitches through the grant of planning permissions on appropriate land, not necessarily to provide them. We are not necessarily required to be the landlords or the managers of the sites, in fact it's preferable that Gypsies and Travellers themselves own their sites or lease the land.

We simply need to ensure there are sufficient pitches on sites that have planning permission for use by Gypsies and Travellers, be that through the grant of planning permissions for sites put forward by Gypsies and Travellers, ourselves or other landowners.

How will new sites be provided?

The process to be followed when acquiring land for Gypsy and Traveller Accommodation purposes is currently in draft form and due to be considered by Audit Committee, regarding the financial procedure implications, this month with the intention of seeking its adoption through District Executive in October. Again, the process sets out that our preference is to pass on ownership to gypsy and traveller households direct once planning permission has been achieved, with retention of ownership by the Council being the option of last resort.

How will members and the Public be informed about progress

A special SSDC web page is being developed which will detail the issues and incorporate all the relevant information. The acquisition process referred to above is clear that the appropriate time for public consultation on any individual proposed site is during the planning application stage, although ward members should be informed prior to this, but after any technical evaluation indicates that an available site is suitable.

What is happening at Ilton and Tintinhull?

Approval at September's District Executive meeting now authorises the Council to proceed with the Park Home scheme which will enable existing pitches to be re-provisioned with Park Homes where the residents wish to accept them. The decision also authorises the essential site works to be completed. The financing of the scheme will be met by the approved capital funds held by SSDC for this purpose, the majority of which have been provided from Central Government grants for this purpose. Tintinhull will remain at 8 pitches and Ilton will be expanded to 10 pitches, (by incorporation of the 'Twisted Willows' part previously leased separately by the County) within the scope of existing planning permissions. Initially Park Homes will only be sited on pitches with an existing resident household, any vacant pitches will have a Park Home on order but not in situ until the prospective new residents are ready to take up occupancy.

Is the Council acquiring the existing site at Pitney following its funding by CLG?

The Council was not in a position to agree a price higher than that suggested by the District Valuer and endorsed by the District Executive when it approved the acquisition. Initially the owners wished to negotiate beyond this price and it seemed that the acquisition had fallen through. Recently the owners have approached the Council again and the purchase is currently proceeding again. If successfully acquired, it is probable that the site will be allocated and leased to an extended household but no occupation of this site will take place until the lease conditions have been agreed.
