

Town & Parish Council Conference

5 April 2016

Welcome and Introduction

Cllr Andrew Turner

Executive Member, Stronger Communities

Cllr Nigel Young

Executive Member, Regeneration

Agenda

- Welcome and introduction
 1. Local Plan update
 2. Gypsy and Traveller Experience
 3. Legislative Framework / Impact of legislative change
- Questions
- Comfort Break
- Optional informal workshops

An Overview of the Central Bedfordshire Local Plan

5 April 2016

Andrew Davie
Development Infrastructure Group Manager

Development Strategy Recap

- **Key Strategic Planning Document**
- **31,000 homes, 27,000 jobs proposed**
- **2011 - 2031**

- Plan submitted to the Secretary of State *October 2014*
- Inspector concludes CBC have not met the Duty-to-cooperate (Dtc) *February 2015*
- CBC lodge judicial review of Inspector's decision *March 2015*
- Executive recommended that the Development Strategy be withdrawn and the legal proceedings discontinued *October 2015*
- Endorsed by Full Council *November 2015*

Lessons Learnt

Review by Planning Officer Society & Ex Senior Civil Servant with DCLG

Refresh the Evidence base

DtC – Establishing an evidence base – Memorandum of Understanding/Statement of Common Ground

Political engagement – Lead members

Communications Plan

Engagement Strategy

Fresh approach to Growth – Growth Options

Incorporate G&T into main Plan

Central Bedfordshire Local Plan (2015-2035) Timescales

	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	
Evidence Studies/Draft Plan																																				
Consultation (Reg 18)																																				
Revised plan																																				
Publication (Reg 19)																																				
Process representations																																				
Submission																																				
Examination																																				
Inspectors Report																																				
Adoption																																				
CBC timescales																																				
PINS Process																																				
Public Consultation																																				

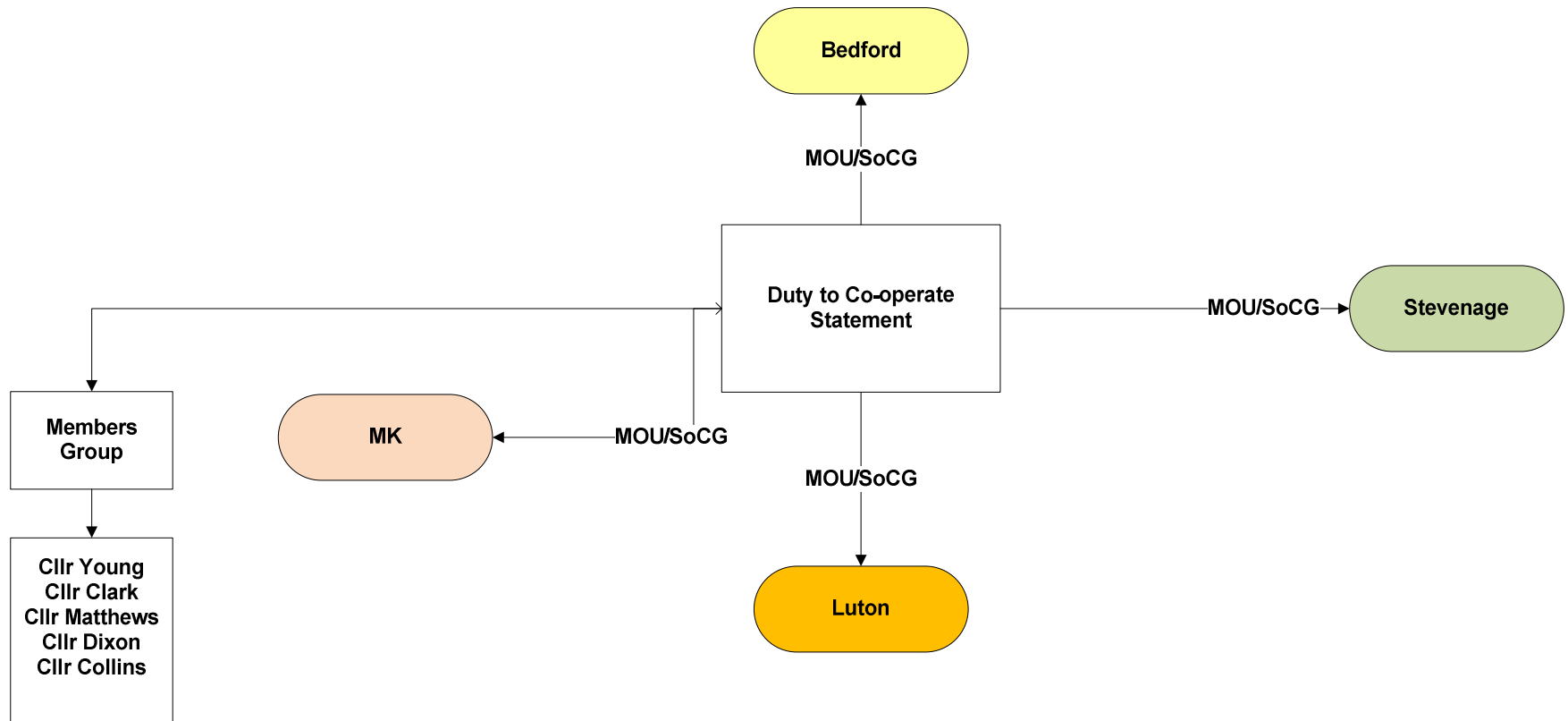
Submission
December 2017

Evidence Base

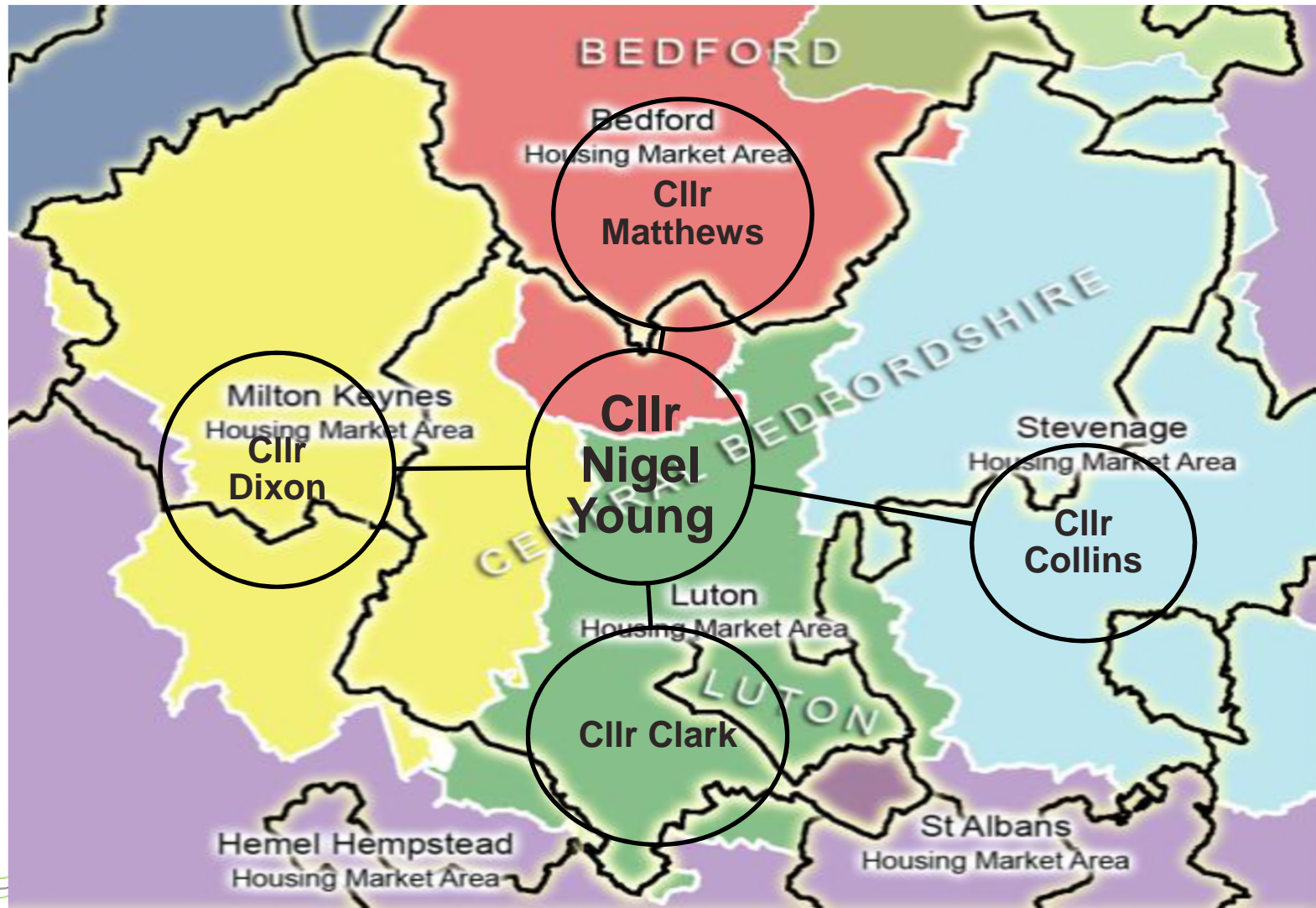
- The plan will be underpinned by a range of new studies
- Sustainability appraisal
- Growth Options with Luton and other HMAs
- Strategic Greenbelt Review
- Strategic Flood Risk Assessment
- Functional Economic market assessment/ Employment Land Review
- Retail Study
- Updated Gypsy and Traveller Accommodation Assessment



Local Authority/Housing Market Area Engagement and Duty to Co-operate



Duty to Cooperate Member Leads

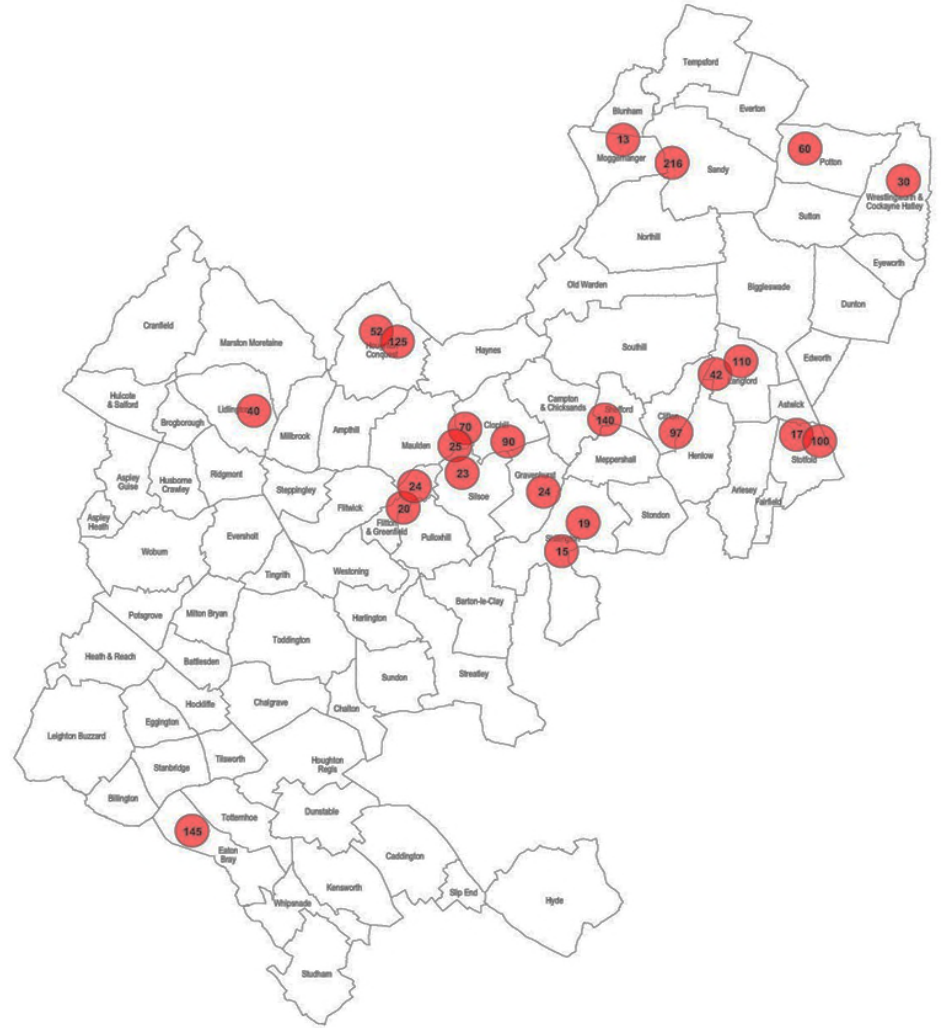


Call for Sites

- Open for 7 weeks and runs until 11th April
- An exercise to invite the submission of sites that may have potential for development.
- Housing sites of 10 and up with no upper threshold
- Gypsy and Traveller sites
- Strategic scale employment sites (10ha+)
- Consultation draft of the criteria for housing site selection available for comment
- Previous Call for Sites has been banked and logged, no need to resubmit sites unless additional information

5 Year Supply

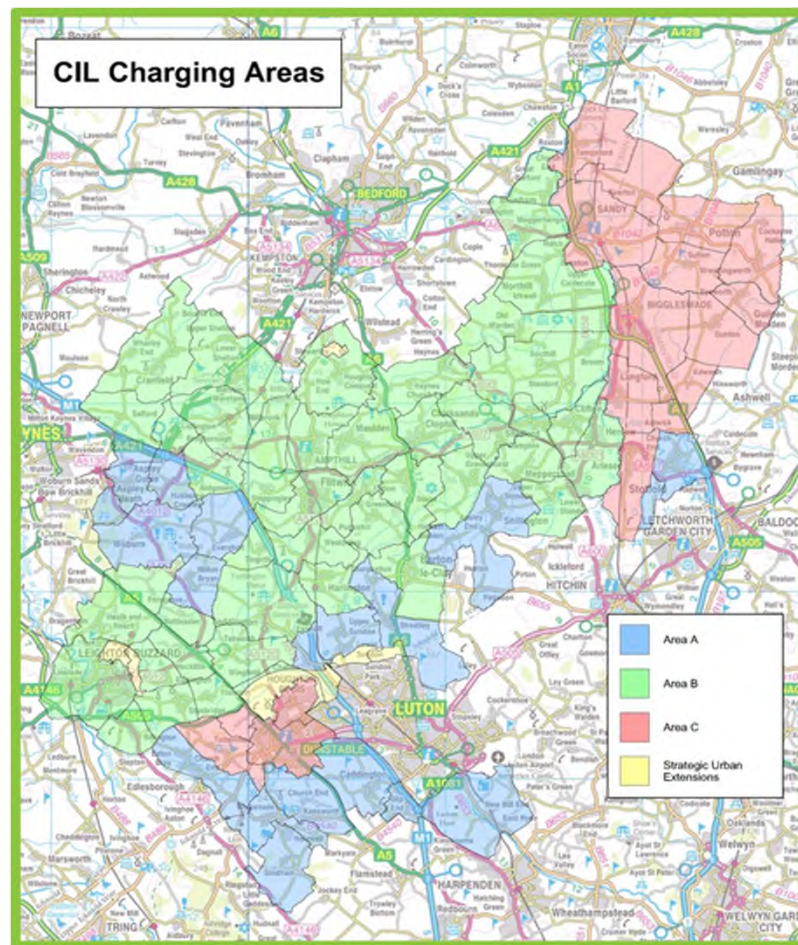
- The National Planning Policy Framework (NPPF) requires LPAs to “identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements”
- Henlow appeal – Council does not have a 5 year supply



Major applications registered for non compliant sites outside the Settlement Envelope over the last 12 months

CIL Update

- Infrastructure and viability evidence underpins a CIL
- Current evidence matches development planned for in withdrawn Development Strategy
- Advice sought from PINS and POS on effective way forward



Neighbouring Authorities Plans

2015

2016

2017

2018

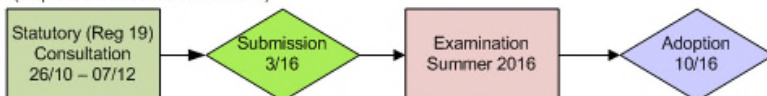
Milton Keynes Plan

(will replace Core Strategy (up to 2026) adopted 2013)



Luton Local Plan

(Replaces Local Plan 2001-2011)



Bedford Local Plan

(will replace Core Strategy up to 2032 adopted 2008)



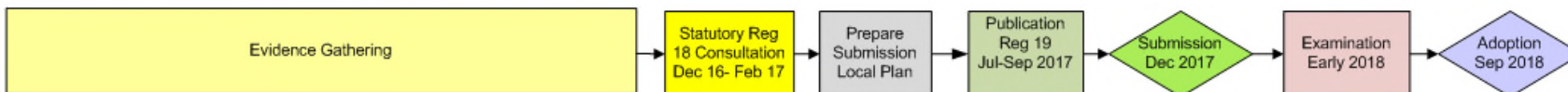
Aylesbury Vale Local Plan

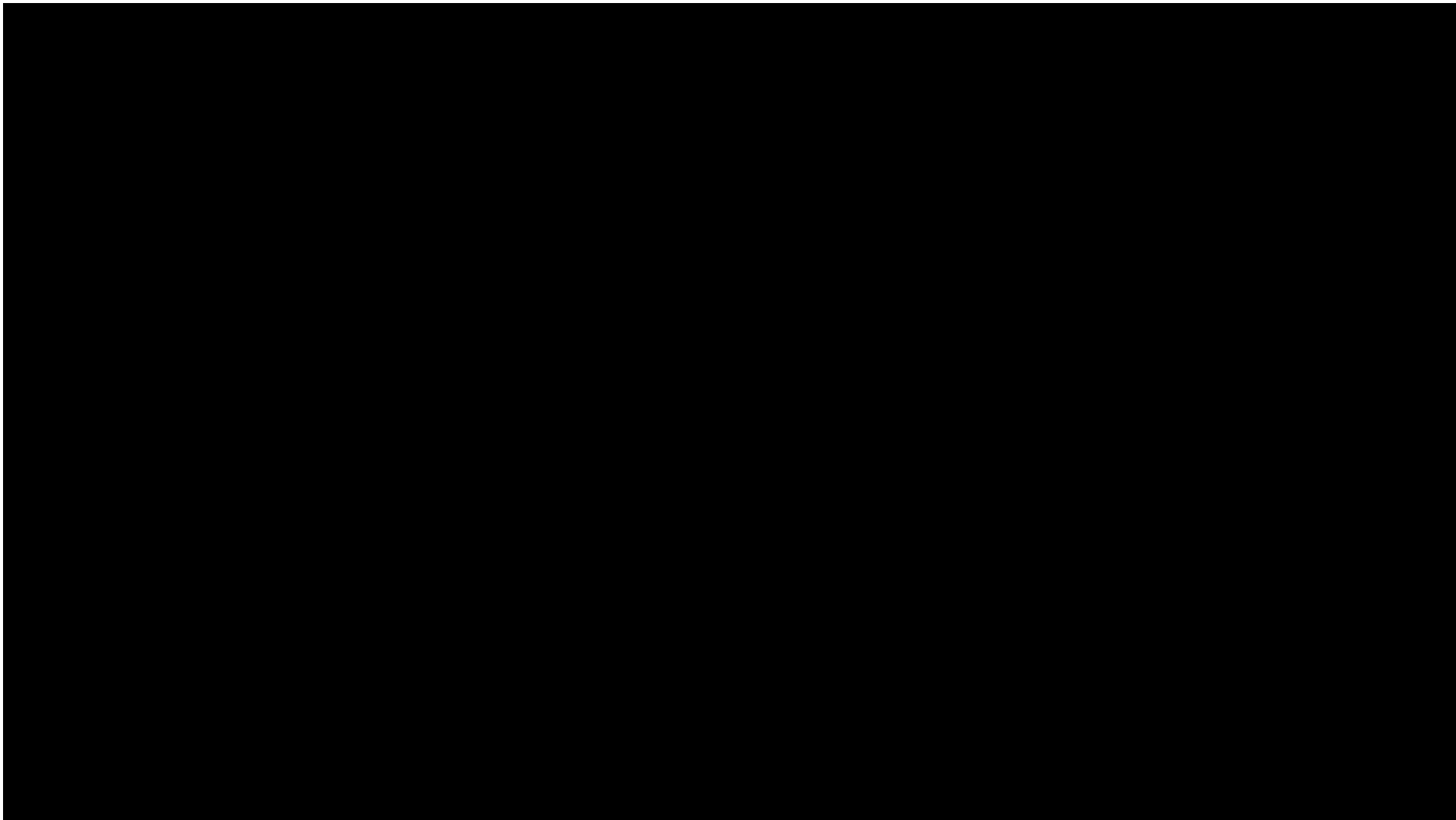
(will replace AVDLP 2001 – 2011 adopted 2004)



Central Bedfordshire Local Plan

(will replace Core Strategy adopted 2009 and South Beds Local Plan adopted 2004)





Gypsy and Traveller Experience

Janie Codona and Shirley Barrett
One Voice 4 Travellers

One Voice 4 Travellers Limited

'A Voice 4 the Voiceless'



Presented by :

Shirley Barrett MSc BA(Hons)/FD(ARTS)/L.C.G/Cert Ed

Janie Codona MBE MSc Post Grad FD (ARTS) CIH Cert Ed

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Company limited by guarantee in England .and Wales No
6350995 Charity Number 1132377

Who are we?

- A non-Judgemental confidential community based group, working to reduce violence to and from the Gypsy and Traveller community in a sustainable and integrated way.
- Violence is defined as physical, sexual, emotional and financial abuse.
- We are Bridge builders



Who are Gypsy and Travellers

- Romany Gypsy migration from India primarily
- 1505 date of the first written record in the United Kingdom
- 1505 been challenge due to discovery of a skeleton in Norwich Norfolk. DNA test show 500 years earlier
- Roma migration to the UK did not commence until 1945.

Who are Gypsy and Travellers

- No precise figure exists for the size of the Gypsy and Traveller population of Britain it has been conservatively estimated that the communities number approximately 300,000 people (DRE, 2004)
- Of the above figure at least half live in housing.
- All families retain cultural and family connections and shared beliefs.



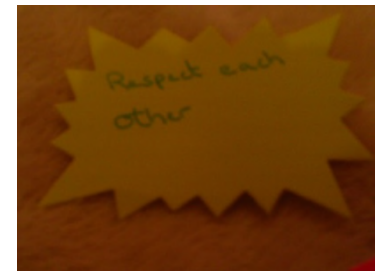
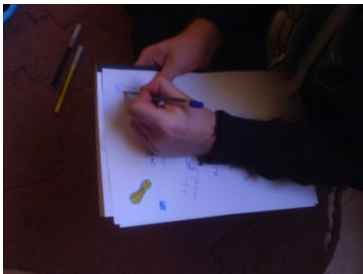
Gypsy and Travellers and Racism

- All the evidence shows that Travellers and Gypsies are some of the most vulnerable and marginalised ethnic minority groups in Britain. (commission for Racial Equality 2004:2)
- racism towards Gypsies and Travellers is still common, frequently overt and seen as justified...complaints from members of the communities include services being not welcoming or refused access.'



Barriers to access of services

- **Literacy levels** – filling in forms
- **Understanding cultural norms and values** – don't talk in front of my husband but can in front of the women up the road.
- **Fear of being treated differently** – Unwilling to ask for help due to expectation of prejudice and racism



What can we do? (1)

- Get to know who you are working with
- Understand difference and similarity of people
- Look at your working systems
- Do not presume that Gypsy and Travellers only live in caravans on sites or the side of the road.

Accommodation

Housing shortage

Sites are full and have a active waiting list

Difficulty identifying land for additional sites

Many existing sites in poor locations, not fit for purpose, in need of refurbishment

Families like smaller sites

Larger Day Room/large windows

Larger kitchen/sitting area

Disabled facilities

Living near to family

Not in middle of Towns/Cities

- Location is important - don't build sites in poor locations such as near sewage plants
- Involve the community in the development of proposed sites/and amenity buildings
- Management is key – what style of management will be adopted,
- Community space – play area/community building



- www.onevoice4travellers.org.uk
- Head Office: 3A Jubilee Lane Marshland St James, Wisbech, Cambs PE14 8JD
- E-Mail info@onevoice4travellers.org.uk

Legislative Framework

Impact of legislative change

Steve Jarman - ORS Consultants

Paul Jobson - DLP Consultants

Central Bedfordshire Gypsy and Traveller Accommodation Assessment Update

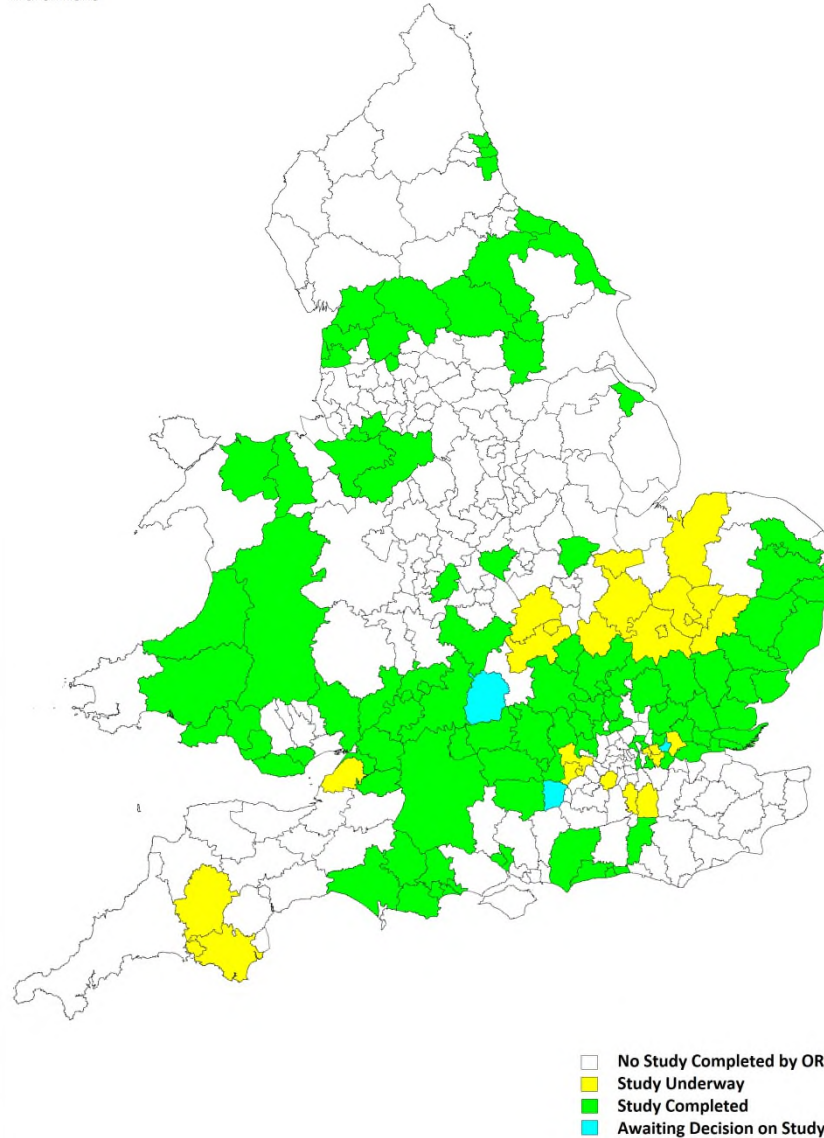
Steve Jarman
Senior Research Executive
Opinion Research Services

Introducing ORS



- » Founded in Swansea University in 1988
- » University Spin-out company 1998
- » UK-wide practice
- » Housing, health, local government, transport, emergency services (fire and police), leisure, equality and diversity
- » 55 full-time research staff
- » Own fieldwork team
- » Fieldworkers IQCS trained and managed in-house
- » 30-unit Social Research Call Centre
- » Extensive experience with Gypsies and Travellers Assessments
- » Earliest assessments in 1990s
- » Completed assessments for over 150 Councils since 2012
- » Regularly appear to present evidence at Local Plan Examinations and Planning Appeals
- » ORS also complete SHMAs across England and Wales

Opinion Research Services
Coverage of Gypsy & Traveller Accommodation Studies by Status
March 2016



ORS appointed in January 2016 to undertake the study to:

- » Provide a robust, defensible and up-to-date evidence base about the accommodation needs of Gypsies, Travellers and Travelling Showpeople in Central Beds following changes to Planning Guidance in August 2015
- » Identify any needs for permanent provision as well as transit sites or emergency stopping places

Study complied with the requirements of PPTS 2015 by:

- » Seeking to apply the new planning definition of a Traveller
- » Focussing on any pitch and plot needs for Gypsies and Travellers and Travelling Showpeople who meet the new definition
- » Identifying short-term needs for the first 5 years (PPTS states the need to have a 5 year supply of deliverable sites) for Travellers who meet the new definition
- » Looking at wider need for longer term planning for years 6-10 and 11-15 (PPTS states the need to identify broad locations) for Travellers who meet the new definition

The Central Beds Gypsy, Traveller and Showperson Accommodation Assessment was published in January 2014:

- » 98 interviews were conducted on Gypsy and Traveller sites
- » 9 interviews were completed on Travelling Showpeople yards
- » Overall the estimated extra provision that was identified for Gypsies and Travellers was for 165 additional pitches for the period 2014-2031 – mostly new household formation (143)
- » Need for 25 additional Travelling Showpeople plots was also identified

Update was published in Dec 2014:

- » Reasons for the Update - Changes to the number of sites and pitches on sites; Consistency with Local Plan timescales; New evidence to support lower formation rates; Issues raised by the previous Local Plan Inspector
- » Overall the estimated extra provision that was identified reduced from 165 to 136 additional pitches for the period 2014-2031 - main reason for the reduction was the use of a lower household formation rate of 2.00%

Planning Policy for Traveller Sites - August 2015

- » GTAA now needs to determine whether households fall within the a new 'planning' definition of a Gypsy, Traveller or Travelling Showperson
- » Only those households that fall within the new 'planning' definition need to be assessed as part of the GTAA process
- » New 'planning' definition now excludes those who have ceased to travel permanently
- » This has been determined through case law that has tested the meaning of the term 'nomadic' and in short it is understood that this now means someone who travels for work purposes and stays away from their usual place of residence
- » Households that do not meet the new 'planning' definition should have their needs assessed as part of the wider SHMA
- » Currently a 'grey area' as there is also a 'housing' definition which will be repealed when the Housing and Planning Bill becomes an Act
- » Need will not go away – it will just move elsewhere in the planning system – although there may be some reduction through lower household formation rates

Questions included in site interview to gather information to use to apply new 'planning' definition

- » Whether household members have travelled in past 12 months?
- » Which family members travel?
- » For what reasons do they travel?
- » Where do they stay when they travel ?
- » Have family members travelled in the past?
- » If so when did they stop travelling?
- » If so why did they stop travelling?
- » Do they plan to travel again in the future?

Only households who meet the following criteria have been included as Travellers for the purpose of this GTAA Update

- » Those who currently travel away from their usual place of residence for work purposes
- » Those who have ceased to travel *temporarily* for the purpose of children in education, ill health or old age

Meeting Needs of 'Non-Travellers'



- » Whilst households who do not travel fall outside the new definition of a Traveller, Romany Gypsies and Irish and Scottish Travellers continue to have a cultural need and right to culturally appropriate accommodation under the Equalities Act 2010
- » Provisions set out in the new Housing and Planning Bill are seeking to include a requirement to assess the needs of people living on sites on which caravans can be stationed, or on places on inland waterways where houseboats can be moored, under S8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs
- » The implication is therefore that the housing needs of the Gypsy and Traveller households who do not meet the new definition of a Traveller will need to be assessed as part of the wider housing needs of the area – through the SHMA – and the Council will need to ensure that arrangements are in place to properly address the needs of these households
- » Review of housing needs for caravans and houseboats: draft guidance – published in March
- » This sets out an similar approach to a GTAA for assessing need for 'non-travelling' Travellers

Stage 1 – Desk-based Research

- » Review of planning records to identify an updated site and yard baseline for the Travelling population in Central Beds

Stage 2 – Survey of Travelling Communities

- » Full demographic survey with households on sites in Central Beds

Stage 3 – Applying New Definition

- » Use of information collected during site interviews to apply the new 'planning' definition of a Traveller to households in Central Beds

Stage 4 – Assessment of Current and Future Need

- » Assessment of need for households who meet the new 'planning' definition of a Traveller
- » Advice of possible additional need from 'unknown' households
- » Recommendations on levels of need to be considered in SHMA

What Next?



- » Complete site and yard fieldwork by mid-April
- » Process completed interview forms
- » Complete assessment of households against the new definition
- » Undertake an assessment of need for the GTAA for those households who meet the new definition
- » Recommend levels of potential need for those households where it was not possible to apply the new definition
- » Recommend levels of need for those households who do not meet the new definition to include in SHMA
- » Recommend whether there is a need for the Council to consider any transit provision at this time
- » Feed information into potential new site selection process

What Constitutes Travelling?



- » This has been determined through case law that has tested the meaning of the term 'nomadic'
- » In short it is understood that this now means someone who travels for work purposes and stays away from their usual place of residence
- » **R v South Hams District Council (1994)** – defined Gypsies as “persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers
- » **Maidstone BC v SoS for the Environment and Dunn (2006)** ruled that a Romany Gypsy who bred horses and travelled to horse fairs where he bought and sold horses, and remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status
- » **Greenwich LBC v Powell (1989)** ruled that a person could be a statutory Gypsy if he led a nomadic way of life only seasonally

Selected 'Travelling' Questions



F1 How many trips, living in a caravan or trailer, have you or members of your family made away from your permanent base in the last 12 months?

INTERVIEWER: Please cross one box only

0	1	2	3	4	5+
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Go to F6

Continue to F2

F2 If you or members of your family have travelled in the last 12 months, which family members travelled? INTERVIEWER: Please cross one box only

All the family	Adult males	Other	If other, please specify
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

F3 What was the main reason for travelling? INTERVIEWER: Please cross one box only

Work	Holidays	Visiting family	Fairs	Other
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Details / specify if necessary

F4 At what time of year do you or family members usually travel? And for how long?

INTERVIEWER: Please cross one box only

All year	Summer	Winter
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

And for how long?

F5 Where do you or family members usually stay when they are travelling?

INTERVIEWER: Please cross all boxes that apply

LA transit sites	Private transit sites	Roadside	Friends/family	Other	If other, please specify
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

F6 INTERVIEWER: Ask F6 — F8 ONLY if F1 = 0. Otherwise, go to F9

Have you or family members ever travelled? INTERVIEWER: Please cross one box only

Yes	<input type="checkbox"/>	Continue to F7
No	<input type="checkbox"/>	Go to F9

F7 When did you or family members last travel? INTERVIEWER: Please write in

Details

Research identified the following sites and yards

- » 3 public sites
- » 33 private sites
- » 1 tolerated site
- » 1 unauthorised site
- » 7 Travelling Showperson yards

Full 'Demographic Study' completed with households on sites and yards

- » 110 interviews completed to date – already more than previous study
- » Interviewers still completing interviews
- » Reasons for unsuccessful interviews have been refusals, vacant pitches and households who were not present despite repeated visits

Gypsies, Travellers and Travelling Showpeople Site Identification

by Paul Jobson
DLP Planning

Issues to be covered

- National policy requirements and purpose of identification work
- Sources of sites for assessment
- Site criteria and broad locations

National policy requirements and purposes of identification work

National Policy Requirements

‘Planning Policy for Traveller Sites (2015)’ requires local authorities to:

- Use a robust evidence base to establish accommodation needs;
- Set pitch and plot targets to address the likely permanent and transit site accommodation needs of Travellers in their area;

National Policy Requirements

‘Planning Policy for Traveller Sites (2015)’ requires local authorities to:

- Identify and update annually a supply of specific deliverable sites to provide five years’ worth of sites against their locally set targets;
- Identify a supply of specific developable sites or broad locations for years six to ten and where possible for years 11-15; and
- Set criteria based policies to meet identified

Changes to PPTS 2015

‘Planning Policy for Traveller Sites (2015)’ introduced the following changes:

- Change planning definition of travellers to limit it to those who have a nomadic habit of life.
- Restricts circumstances in which temporary permission for Gypsy sites may be given in the green belt
- Councils should "very strictly limit" new traveller sites in open countryside

- To develop a robust criteria to define Broad Locations, identify specific sites and establish development management criteria policy for future applications
- To identify potential Broad Locations to accommodate sites within the Local Authority Area
- To identify potential sites to meet future needs for Gypsies, Travellers and Travelling Showpeople
- To identify potential delivery options for sites
- To inform the development of Local Planning policies

Source of Sites for Assessment

Sources of Sites

- Authorised sites, (including temporary)
- Unauthorised sites and those with a previous planning history of activity
- Council owned land
- Other Surplus Public Sector Land

Sources of Sites

- Call for Sites (deadline 11th April)
- Sites from other studies e.g. Strategic Land Availability Assessment or employment land review
- Strategic Urban Extensions

Site Criteria and Broad Locations

Site Criteria

PPTS identifies that Local Authorities should establish sites criteria to help identify appropriate sites for delivery through the planning system. DLP consider sites should:

- Be suitable – the site should be in a suitable location for development;
- Be available - the site should be available now or there should be a reasonable prospect that the site is available at the point envisaged;
- Be deliverable or developable – there is a realistic or reasonable prospect that the site could be viably developed at the point envisaged.

Site Criteria

DLP Planning would recommend using the following assessment criteria:

- Availability
- Flood Risk
- Environmental designations including biodiversity and protected species
- Green Belt and landscape
- Historic environment

Site Criteria

- Site access and safety (transport)
- Contaminated, unstable land and topography
- Noise and air quality
- Residential amenity
- Access to facilities
- Delivery

Broad Locations & selecting sites

PPTS states that “For years 6-10 and, where possible, for years 11-15, Local Authorities should identify a supply of specific developable sites or broad locations for growth”.

Broad Location and site selection work should:

- Avoiding physical constraints and protected areas
- How potential sites relate to spatial strategies (sustainability)
- Fit with needs
- Cumulative impact of sites

Questions

Planning Growth – Workshop

Mark on maps: sites for housing, employment and new infrastructure

Suggestions

Need to find a range of housing figures between 10,500 – 26,500 homes

Commercial sites – consider proximity to other sites

Transport – M1-A6, East/West Rail, what else?



Considerations

- Constraints (already on the maps): Green Belt, SSSI's, AONB, County Wildlife Sites, Flood Plain
- Range of sizes of site (50 houses – 5000 houses)
- Planning permissions already granted/in the system
- Should we put sites in the Green Belt/compensate for loss of Green Belt?

Comfort break

Optional informal workshops

Town & Parish Council Conference

5 April 2016