

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

14 June 2007

Report of the Director of Planning, Transport and Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 SOUTH EAST PLAN – GYPSY AND TRAVELLERS REVIEW

Summary

SEERA has commenced work on a Partial Review of the South East Plan to address the issue of accommodation for Gypsies and Travellers. SEERA is seeking advice from the local authorities in the region on alternative options for the distribution of pitch requirements. This advice, which is required by October, is to be provided by the authorities in Kent working together. This report explains the working arrangements for the provision of this advice.

1.1 Introduction

1.1.1 Despite the fact that the preparation of the South East Plan is nearing completion a partial review has been commenced to deal with the specific issue of Gypsies and Travellers because this matter is not fully dealt with in the main Plan. The reason for this staggered approach was the delay in the provision of advice from Government in the form of Circular 1/06.

1.1.2 The South East Regional Assembly (SEERA) is therefore carrying out this partial review with the aim of providing statutory strategic planning policy and guidance on the level and distribution of gypsy and traveller accommodation across the South East. The driver for this work is Circular 01/06 which requires the South East Plan to identify the number of pitches required (but not their location) for each local planning authority in the region taking account of the results of Gypsy and Traveller Accommodation Assessments (GTAA's) and a strategic view of needs across the region.

1.2 Gypsy and Traveller Accommodation Assessment (GTAA)

1.2.1 The preparation of a GTAA is a requirement of the Housing Act. It aims to assess the need for accommodation for Gypsies and Travellers. A GTAA has been prepared by consultants (David Couttie Associates) on behalf of Tonbridge and Malling, Tunbridge Wells, Maidstone and Ashford Boroughs. A draft of the GTAA was reported the Planning and Transportation Advisory Board on 26 February

2007 prior to which a presentation, to which all Members were invited, was made by the consultant to the Strategic Housing Advisory Board on 20 February 2007.

- 1.2.2 The draft GTTA found an indigenous need for the provision of 13 addition pitches within the Borough over the next 5 years. The draft GTAA was approved for the purposes of targeted consultation. A stakeholder seminar has been arranged for 20 June at Lenham to which representatives of the Gypsy and Traveller Community have been invited. The GTAA will be finalised once the views of the Gypsy and Traveller Community have been taken into account. The aim will be to report back to the next meeting of the Board so that the final version of the GTAA can be approved.

1.3 The South East Plan Partial Review Process

- 1.3.1 To inform the Partial Review of the South East Plan SEERA has invited all local authorities in the South East to provide it with advice on pitch distribution in the light of the results of the GTAAs and other planning considerations. It requires this advice to be provided on the basis of groupings of local authorities. In Kent, it has been agreed that the most appropriate grouping for the purposes of this first stage technical exercise is the whole of the county including Medway. The deadline for the submission of this advice is 15 October which is an extremely tight timescale.
- 1.3.2 To enable Sustainability Appraisal SEERA requires the submission of two alternative spatial options for the same overall level of pitch provision:
- One based upon indigenous need as identified through the GTAAs. This is the easy one, though the results of the different GTAAs being prepared throughout the region are all to be independently audited to ensure they are consistent, since they have been prepared at different times and by different consultants using different techniques. In Kent, there are four different GTAAs but three of them have been prepared by the same consultant which should help to ensure at least some consistency. The other complication is that GTAAs only tend to look 5 years ahead, whereas the South East Plan Review will look ahead to 2016 so there will have to be some projection and phasing of future needs.
 - The second option is a distribution which “seeks to protect and enhance the natural environment, including its biodiversity and landscape character whilst making the best use of previously developed land and existing planned infrastructure provision and facilitates access to employment opportunities and local services to support social inclusion”. It is made clear that whilst the Green Belt is a consideration it should not be seen as an absolute block on site development if there is no reasonable alternative.
- 1.3.3 It is emphasised that at this technical stage of the process authorities are not being asked to chose between, or express a preference, for a particular option. These options will be subject to Sustainability Appraisal and SEERA will then decide on its preferred option which will be published for full public consultation in

the summer of next year. This will be when the Borough Council will have an opportunity formally to influence the content of the Partial Review. Following public consultation SEERA will prepare the draft Plan with a view to submitting it to the Secretary of State by the end of 2008. There will then be an opportunity to support or object to the proposals which will be followed by an Examination in Public before an independent Panel who will make recommendations to the Secretary of State for any changes to be made. Those changes will themselves then be subject to a further round of public consultation before the Plan Review is finally adopted some time late in 2009 or early 2010.

- 1.3.4 It is only once a confirmed pitch requirement is included in a finally approved version of the document that the Borough Council will be statutorily required to prepare its on Development Plan Document to identify sites to meet the specified requirements and this will only be necessary if those requirements cannot be met in any other way. We are therefore at the beginning of a very long and complex process but it is important that the Council has an input to the process and keeps a close watch on how matters develop, particularly in connection with the information that is submitted which may influence district level distribution.
- 1.3.5 In order to take matters forward a countywide Officer Steering Group has been established. The Chief Planner (Policy) is your Council's representative on that Group. The Officer Group reports to a Member Steering Group on which the Cabinet Member for Planning and Transportation is the Borough Council's representative. The intention is that the Officer Group will work over the summer under the direction of the Member Group with a view to preparing the necessary advice by the October deadline. The advice will be signed-off by the Member Group on a without prejudice basis.

1.4 Legal Implications

- 1.4.1 The preparation of the Plan Review is a requirement of Circular 01/06.

1.5 Financial and Value for Money Considerations

- 1.5.1 None at this stage, other than staff time that could otherwise be directed elsewhere.

1.6 Risk Assessment

- 1.6.1 Absence of active involvement at this stage could be prejudicial to the Council's best interests.

1.7 Recommendations

- 1.7.1 That Cabinet **BE RECOMMENDED** to note the arrangements for preparing the Partial Review of the South East Plan dealing with Gypsies and Travellers and endorse the process for submitting the technical advice.

Background papers:

contact: Brian Gates

SEERA Brief for Submission of Advice by Local Authorities – December 2006 (as amended February 2007)

Letter from KCC Member for Regeneration and Supporting Independence dated 26 February establishing the working arrangements.

Steve Humphrey
Director of Planning Transport and Leisure