

## APPENDIX B

### Additional Statement on Gypsy and Traveller Provision in the Modifications to the Regional Spatial Strategy – September 2008.

#### **Introduction**

The *Draft Revised Regional Spatial Strategy for the South West* (Draft Revised RSS) was published for consultation on the 22<sup>nd</sup> July 2008, and includes proposed changes to the Gypsy and Traveller Pitch Requirements for North Wiltshire. These changes are presented in Tables 4.3 and 4.4 of the *Draft Revised RSS*, and are as follows:

1. That the Gypsy and Traveller Residential Pitch Requirement for North Wiltshire be increased from 24 pitches (as found to be required by the *Wiltshire and Swindon Gypsy and Traveller Accommodation Assessment (GTAA)*) to 48 pitches.
2. That the Transit Pitch Requirement for North Wiltshire be increased from 0 (*Wiltshire and Swindon GTAA*) to 12 pitches.
3. That the Travelling Show People Pitch Requirements for the whole of Wiltshire be increased to 5 pitches.

The changes to the Transit and Travelling Show People Pitch Requirements are not disputed. However, the increases to the Residential Pitch Requirements appear to be based upon a somewhat arbitrary calculation of need, and do not reflect the findings of the *Wiltshire and Swindon GTAA*. There is also an issue regarding the distribution of sites amongst the Wiltshire and Swindon Local Authorities, with North Wiltshire receiving a disproportionate allocation. The arguments against the revised residential pitch requirements are outlined in greater detail below, following a brief overview of the background regarding Gypsy and Traveller Pitch Provision in North Wiltshire.

#### **Gypsy and Traveller provision in North Wiltshire**

The *Wiltshire and Swindon GTAA* was undertaken by David Couttie Associates (DCA) and published in 2006. The *GTAA* found a need for 47 additional residential pitches Wiltshire in the period 2006-2011, with 24 of these pitches to be located in North Wiltshire. In 2008 North Wiltshire District Council (NWDC) undertook an *Issues and Options Consultation* concerning the suitability of six publicly owned sites for Gypsy and Traveller Provision. Following extensive public consultation, the NWDC Executive agreed that none of the six sites were suitable. The *Issues and Options Consultation* also involved a 'Call for Sites'; analysis of the results of this site search is still ongoing. Given the difficulty experienced by NWDC in finding suitable sites for Gypsy and Traveller Provision, and the controversial nature of the issue, it is essential that the RSS Pitch Requirements accurately reflect local need.

## **Background to the Proposed Changes in the Draft Revised RSS**

A draft *RSS Revision (Gypsies and Travellers)* was published in July 2007, and was subject to an Examination in Public in March 2008. This was followed by the publication in April 2008 of the *Independent Panel Report on the Review of Additional Pitch Requirements for Gypsies and Travellers in the South West (the RAPR Panel Report)*. The *RAPR Panel Report* suggested changes to the residential pitch requirements in North Wiltshire, and these changes have been incorporated into the *Draft Revised RSS*.

The justification for the proposed changes is based around the argument that the *Wiltshire and Swindon GTAA* did not accurately assess the need in the county. The *RAPR Panel Report* cites a *Benchmarking Report*, produced by the Universities of Birmingham and Salford and published in January 2008, which argues that the *Wiltshire and Swindon GTAA* figures are too low. It is stated in the *Benchmarking Report* (p.20) that there are “serious reservations about the approach to estimating need [in the *Wiltshire and Swindon GTAA*] which seems likely to consistently understate the level of requirement for residential pitches”. These reservations include issues regarding “the derivation of the base population, treatment of need from unauthorised sites and assumed future vacancy levels.” The *Benchmarking Report* therefore recommended that the figures should be amended.

### **The Formula**

The proposed residential pitch requirements (in the *Draft Revised RSS*) have been calculated according to a formula presented by the DCLG in the 2007 guidance document: *Preparing Regional Spatial Strategy Reviews on Gypsies and Travellers by Regional Planning Bodies*. The formula for pitch requirements is as follows: “Pitch requirement for an area equals the number of unauthorised development pitches in the area plus 40 per cent of the number of authorised pitches in the area” (p.37). The formula has been derived based on an examination of GTAAs in the East of England. Five GTAA’s were analysed, to determine the extent to which the methodology followed was likely to lead to an accurate estimate of pitch requirements. Of these five GTAAs, one was found to have an accurate methodology, and this GTAA gave an estimated pitch requirement of 43% of authorised pitches (p.38).

Thus, the formula was derived using the figure of 40%. However, since this formula is based on the situation in the East of England, it is not necessarily applicable to Wiltshire and Swindon. The DCLG accepts that “the formula can be criticised” and that it is “essentially pragmatic and devised for its simplicity rather than its sophistication” (*Preparing RSS Reviews on GTAAs*, p.39).

### **Amendments to the Formula**

It should also be noted that the formula is amended in the *Benchmarking Report*, which increases the overall need for Wiltshire to 99 pitches (from 93 pitches following the original formula). It is stated in the *Benchmarking Report* that the “amendments to the formula are to an extent arbitrary although considered in the context of the findings of robust GTAAs” and that the figures should only be used as an interim measure, until the GTAA can be updated.

The *Benchmarking Report* amendments to the formula do not have a huge impact on the figure, but it can nonetheless be argued that both the formula itself, and the *Benchmarking Report* amendments, appear to have been derived in an arbitrary fashion, with insufficient justification. They do not reflect the complexity of local

circumstances. In contrast, the *Wiltshire and Swindon GTAA* followed a robust methodology, and accurately reflects the local situation, as clarified further below.

### **The Wiltshire and Swindon GTAA**

In 2008 a *Supplementary Paper* was released, which justifies the GTAA in response to criticisms outlined in the *Benchmarking Report*. The *Supplementary Paper* argues that the *Benchmarking Report* “concentrates on the factual data contained in each GTAA and does not take into account specific local circumstances” (p.1). The *Supplementary Paper* provides evidence against each of the specific criticisms levelled at the GTAA, and concludes that “it is the local circumstances in Wiltshire that have influenced and support the conclusions of the Wiltshire and Swindon GTAA”. It is nevertheless accepted in the *Supplementary Paper* that the GTAA pitch requirement should be amended, to take account of small inaccuracies in the GTAA. Thus the Wiltshire Pitch Requirement should be increased to 52 (from 47 in the GTAA), and the requirement for North Wiltshire should be increased to 26 (from 24 in the GTAA). Once these small amendments are taken into account, the GTAA provides a robust assessment of need in Wiltshire and Swindon.

### **Distribution of Pitches**

It is not accepted that the increases proposed in the *Draft Revised RSS* for the Wiltshire and Swindon pitch requirements are justifiable. However, even if the increases were accepted, the issue of distribution of the pitch requirements amongst local authorities remains. The *RAPR Panel Report* advises that the additional pitches required (an extra 52 pitches for Wiltshire) are to be distributed throughout the authorities on a pro-rata basis, based on the original figures proposed by the *Wiltshire and Swindon GTAA*. The only exception is that Kennet should receive 5 pitches (original requirement was 0); the remaining 47 additional pitches are distributed amongst Swindon, North Wiltshire, Salisbury and West Wiltshire, and the requirement for each of these authorities is thus double that recommended by the GTAA. North Wiltshire must provide 48 pitches.

The justification for pro-rata distribution is that this “will be more likely to reflect where needs are likely to exist and/or arise in the period up until 2011” (*RAPR Report*, p.34). However, the GTAA recommendation for North Wiltshire to provide 24 pitches includes provision for 16 pitches “to accommodate relocation of the Minety site” (GTAA, p.101). This relocation of an unauthorised site is a special circumstance, and will only occur once. The *RAPR Panel Report* suggestion that North Wiltshire should provide an additional 24 pitches would allow for the relocation of the Minety site twice and thus effectively double-counts one element of the need in North Wiltshire. The pro-rata distribution of the additional sites is not therefore justified.

A further point to note is that North Wiltshire will cease to exist as a local authority as of April 2009, when the new Wiltshire Unitary Authority comes into being. In the light of this shift towards One Council, a county-wide view is necessary. Thus, regardless of the numbers concerned, there appears little point in specifying a North Wiltshire requirement at this time.

### **Summary**

It has been argued above that the *Draft Revised RSS* proposed increases to the Gypsy and Traveller Pitch Requirements for Wiltshire and Swindon, and specifically for North Wiltshire, are not justified. The *Wiltshire and Swindon GTAA*, carried out in 2006, provides an accurate assessment of local need. This is highlighted by the *Supplementary Paper*, which was prepared in response to the criticisms of the GTAA

outlined in the *Benchmarking Report*. The proposed figures in the *Draft Revised RSS* are derived using a formula which was based on the situation in the East of England and may not therefore be applicable to North Wiltshire. This formula has been amended slightly following recommendations in the *Benchmarking Report*, but these amendments are derived on a somewhat arbitrary basis, as acknowledged by the authors of the *Benchmarking Report* themselves.

The distribution of pitch requirements across the individual authorities of Wiltshire and Swindon is based upon figures provided in the GTAA, and the figure for North Wiltshire is thus heavily biased. The GTAA recognises the need to replace unauthorised sites at Minety in North Wiltshire, but the *Draft Revised RSS* figures would effectively replace these sites twice.

**It is therefore recommended that the Gypsy and Traveller Pitch Requirements should be amended to follow those set out in the *Supplementary Paper to the Wiltshire and Swindon GTAA*. This sets the overall Residential Pitch Requirement for Wiltshire and Swindon at 52, with 26 pitches to be provided by North Wiltshire.**

#### **Relevant Documents:**

Benchmarking Review of Gypsy and Traveller Accommodation Assessments in the South West (January 2008) [http://www.southwest-ra.gov.uk/ngcontent.cfm?a\\_id=3593](http://www.southwest-ra.gov.uk/ngcontent.cfm?a_id=3593)

Circular 01/06 (ODPM) Planning for Gypsy and Traveller Caravan Sites (2006) <http://www.communities.gov.uk/publications/planningandbuilding/circulargypsytraveller>

Gypsy and Traveller Accommodation Needs Assessments: Guidance – DCLG, Oct 2007 <http://www.communities.gov.uk/documents/housing/pdf/accommneedsassessments.pdf>

North Wiltshire Gypsy and Traveller Issues and Options Consultation (May-June 2008)

<http://www.northwilts.gov.uk/index/env/planning/localplans/gypsyconsultation.htm>

Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies (DCLG, 2007)

<http://www.communities.gov.uk/documents/housing/pdf/321445.pdf>

RSS for the South West Review of Additional Pitch Requirements for Gypsies and Travellers EiP Report of the Panel (April 2008)

<http://www.gos.gov.uk/497666/docs/166217/622079/fullpanelreport>

Supplementary Paper to Wiltshire County and Swindon Borough Gypsy and Traveller Accommodation Needs Assessment Final Report 2006 (Wiltshire County Council and Swindon Borough, Jan 2008)

[http://www.planning-inspectorate.gov.uk/pins/rss/south\\_west\\_gypsy/documents/CD36.pdf](http://www.planning-inspectorate.gov.uk/pins/rss/south_west_gypsy/documents/CD36.pdf)

The Draft Revised Regional Spatial Strategy for the South West Incorporating the Secretary of State's Proposed Changes

[http://gosw.limehouse.co.uk/portal/regional\\_strategies/drss](http://gosw.limehouse.co.uk/portal/regional_strategies/drss)

The South West Regional Spatial Strategy: Schedule of the Secretary of State's Proposed Changes and Reasons

[http://gosw.limehouse.co.uk/portal/schedule\\_of\\_proposed\\_changes\\_and\\_reasons/](http://gosw.limehouse.co.uk/portal/schedule_of_proposed_changes_and_reasons/)

Wiltshire and Swindon Gypsy and Traveller Accommodation Needs Assessment (2006) [http://www.northwilts.gov.uk/wiltshire\\_swindon\\_final\\_report\\_07-2.pdf](http://www.northwilts.gov.uk/wiltshire_swindon_final_report_07-2.pdf)