



GOVERNMENT OFFICE
FOR THE EAST OF ENGLAND

Accommodation for Gypsies and Travellers and Travelling Showpeople in the East of England

A Revision to the Regional Spatial Strategy for the East of England

SUPPORTING DOCUMENT

Summary of consultation on the Proposed Changes

Schedule of Changes and Reasons

Sustainability Statement



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Section 1

Introduction

The East of England Plan

The East of England Plan was published by the Secretary of State for Communities and Local Government in May 2008. It covers the counties of Norfolk, Suffolk, Cambridgeshire, Essex, Hertfordshire and the former Bedfordshire area. Together with the relevant sections of the Milton Keynes South Midlands Sub-Regional Strategy, published in March 2005, it constitutes the Regional Spatial Strategy (RSS) for the East of England.

The East of England Regional Assembly (EERA) agreed in February 2006 to prepare a review of RSS on the accommodation needs of Gypsies and Travellers. That review is now completed with the publication in July 2009 of the final policies which address the accommodation needs of Gypsies and Travellers and Travelling Showpeople in accordance with the requirements of Government policy in Circular 01/2006, Planning for Gypsy and Traveller Caravan Sites and Circular 04/2007, Planning for Travelling Showpeople.

The policies and supporting text which are the outcome of the review are now a part of the RSS for the East of England. The policies require local authorities to make provision for additional residential and transit pitches for Gypsy and Traveller caravans and plots for Travelling Showpeople; they provide a consistent regional framework to inform the preparation of Local Development Documents, which must be in general conformity with the RSS.

Supporting Document

It is the practice of the Secretary of State to publish a schedule of reasons for final changes to RSS and a summary of representations in response to representations received. To accompany this revision to RSS, the Secretary of State has also published a Sustainability Statement, which incorporates the requirements of Regulation 16 of The Environmental Assessment of Plans and Programmes Regulations 2004. These comprise a suite of supporting documents which have been published together as a single Supporting Document.

Section 2

Summary of consultation on the Proposed Changes

The RSS policies 'H3: Provision for Gypsies and Travellers' and 'H4: Provision for Travelling Showpeople' have been finalised following consideration by the Secretary of State of the Examination in Public Panel's report, published in December 2008, and of responses to the subsequent public consultation.

The Secretary of State published her 'Proposed Changes to the Draft Revision to the Regional Spatial Strategy for the East of England and Statement of Reasons' for consultation in March 2009. The consultation period ran for 8 weeks.

There were 180 consultation responses received and they are summarised below.

	<i>Number of responses</i>	<i>Percentage of responses</i>
Total responses	180	100
Policy H3	180	100
Objecting	165	92
Supporting	12	7
Observation	3	2
Policy H4	12	7
Objecting	10	6
Supporting	1	0.5
Observation	1	0.5

78 responses were from public and private organisations, comprising a range of agencies, authorities, MPs, interest groups and businesses.

The remaining 102 representations came from members of the public. A substantial number were from residents of Buntingford in East Hertfordshire, including a petition with approximately 700 signatures.

In summary, the main points made by respondents were:

- the proposed pitch numbers for individual districts are too high and do not reflect locally assessed need for additional pitches;
- the figures should not be expressed as minima as this provides little certainty for the local planning process and knowing when provision has been met;

- the approach to provision beyond 2011 is based on a 3% compound growth of the 2011 requirement. In the view of many respondents, this would exceed locally identified need and it would be better to deal with post-2011 provision through the current but separate review of the Regional Spatial Strategy; and
- there is limited evidence to justify the inclusion of pitches for temporary transit sites and additional plots for travelling showpeople.

All consultation responses were considered carefully. The next section records changes to the policies as a result of this consideration.

Section 3

Schedule of Changes and Reasons

This schedule identifies changes (and the reasons for them) to the RSS policies 'H3: Provision for Gypsies and Travellers' and 'H4: Provision for Travelling Showpeople', subsequent to the Secretary of State's Proposed Changes which were published in March 2009.

Changes of a factual or updating nature, involving cross references, or of an editorial nature that do not involve any material change in policy or substantive change in the scope of the supporting text are included in the final text of the policies but are not identified in this table.

<i>Policy</i>	<i>Change</i>	<i>Reason(s) for Change</i>
H3	Amend the title of the 2nd column of the table showing the pitches required 2006–11 to read: "Authorised Pitches in January 2006".	For clarity on the start date of the policy, in response to representations from Chelmsford Borough Council.
H3	Amend the second paragraph following the table outlining additional pitch requirements to read: "Beyond 2011 provision should be made for an annual 3% compound increase in residential pitch provision, equivalent to 1,038 additional pitches between 2011 and 2021, distributed on the basis of districts accommodating the same proportion of the regional requirement as in Policy H3 for 2006–11."	To clarify the provision of additional pitches between 2011-2021, including how these should be calculated and distributed.
H3	Add the following footnote after "3%" in the second paragraph following the table outlining additional pitch requirements: "The 3% annual compound increase in pitches after 2011 should be calculated based on the total number of pitches proposed in 2011, i.e. the figures in the third column of the table in Policy H3."	For the same reasons as above.
H3	Delete locational guidance for Bedford, Central Bedfordshire and Luton from the table outlining transit pitch requirements.	In response to the need for flexibility on the most appropriate approach to transit pitch provision in Bedford, Central Bedfordshire and Luton and in response to representations from Central Bedfordshire Council.

<i>Policy</i>	<i>Change</i>	<i>Reason(s) for Change</i>
H3	Amend locational guidance for Hertfordshire in the table outlining transit pitch requirements to read: "Provision in Southern and Western Hertfordshire, complementing the existing South Mimms site, and in Northern and Eastern Hertfordshire."	For clarity and consistency with the recommendations of the Examination in Public Panel, and in response to representations from North Hertfordshire District Council, Hertfordshire County Council, Lucy Baruch, Caroline Anthony, Doctor Ury Bernard Baruch and others.
H3	Amend locational guidance for Suffolk in the table outlining transit pitch requirements to read: "Provision should include the Ipswich/Felixstowe area."	In response to the need for flexibility on the most appropriate approach to transit pitch provision in Suffolk, consistent with the approach to other counties.
H3	Insert the following after the first sentence of paragraph 5.15: "Provision of transit pitches need not only be on sites exclusively for their use; for instance, provision could be delivered alongside or on existing or new permanent sites."	To provide additional guidance on the possible location of transit sites to meet the urgent identified need.
H4	Amend the opening paragraph of Policy H4 to read: "Beyond 2011 provision should be made for an annual 1.5% compound increase in plots, equivalent to 94 additional plots between 2011 and 2021, distributed on the basis of counties and unitaries accommodating the same proportion of the regional requirement as in Policy H4 for 2006–11."	To clarify the provision of additional plots between 2011-2021, including how these should be calculated and distributed.
H4	Add the following footnote after "1.5%" in the opening paragraph of Policy H4: "The 1.5% annual compound increase in plots after 2011 should be calculated based on the total number of plots proposed in 2011: 40 for Bedfordshire and Luton, 72 for Cambridgeshire and Peterborough, 269 for Essex, Southend-on-Sea and Thurrock, 80 for Hertfordshire, 96 for Norfolk and 29 for Suffolk."	For the same reason as above.

<i>Policy</i>	<i>Change</i>	<i>Reason(s) for Change</i>
Delivery, Monitoring and Review	Amend 1st sentence of paragraph 5.19 to read: “The Regional Assembly, working with partners, should monitor net changes in numbers of permanent and transit pitches, pitches with temporary permission and unauthorised developments and encampments.”	For clarity and consistency with recommendation 8.3 of the Examination in Public Panel and in response to representations from the East of England Regional Assembly.
Delivery, Monitoring and Review	Add “registered social landlords” to the list of partners in paragraph 5.18.	In recognition of the greater role envisaged for Registered Social Landlords in the delivery of additional pitches for Gypsies and Travellers and in response to representations from Cambridgeshire County Council.

Section 4

Consolidated Sustainability Statement, incorporating the Statement required under Regulation 16 of The Environmental Assessment Plans and Programmes Regulations 2004

1 Introduction

- 1.1** Regulation 16 of The Environmental Assessment Plans and Programmes Regulations 2004 requires that information is provided relating to the consideration of certain environmental matters as soon as reasonably practical after the adoption of a plan. Following the publication of the Revision to the East of England Plan: Accommodation for Gypsies and Travellers and Travelling Showpeople by the Secretary of State for Communities and Local Government in July 2009, this is the Secretary of State's Statement of those matters listed at paragraph 4 of Regulation 16. The purpose of the Statement is to show how environmental considerations have influenced decision making, and how the environmental effects of the policies will be monitored.
- 1.2** There is no equivalent requirement to show how the consideration of the effects of the plan on sites of European or international importance for wildlife have been taken into account, except in so far as these might, in more general terms, figure within the significant environmental effects. However, assessment under the Habitats Directive was undertaken alongside the wider Sustainability Appraisal of the emerging policies.
- 1.3** A limited range of environmental concerns were evident in the representations received in response to the consultation held at both the Submission and the Proposed Changes stage of the plan. Responses to both the SA Report and the draft policies have been considered together and, to avoid unnecessary repetition, this Statement deals only with matters not addressed elsewhere (for example, the schedule of reasons for change shows how specific comments have been taken into account and incorporated in the final policies). Also to avoid unnecessary repetition, this Statement deals only in broad terms with the influence of the Strategic Environmental Assessment (SEA) as part of the Sustainability Appraisal (SA) of the final policies. References to Sustainability Appraisal should be taken to include assessment required by the Strategic Environmental Assessment Directive.

2 Background

- 2.1** Regional Spatial Strategy (RSS) sets a framework for spatial planning across the region. The East of England Regional Assembly (EERA) started work on a single issue revision to the RSS for the East of England, to address the accommodation needs of Gypsies and Travellers, in February 2006 and submitted its draft policy to Government in February 2008. The draft revision was accompanied by the Sustainability Appraisal Report of the draft policy, prepared on behalf of EERA by Environmental Resources Management (ERM), together with a Habitats Regulations Screening Assessment also undertaken by ERM.
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- 2.2** The chronology of events leading up to the submission of the draft policy is summarised at Section 3.5 of the accompanying SA Report, whilst Section 2 describes the options considered, and Section 4 summarises the assessment of the draft policy.
- 2.3** The SA Report was published for consultation, along with the draft Gypsy and Traveller accommodation policy. Comments on the report were considered by the Panel appointed to conduct the Examination in Public (EiP), together with representations on the draft policy. Further Sustainability Appraisal was undertaken to inform the Secretary of State's Proposed Changes. That work was undertaken by ERM and its report was published for consultation in March 2009 at the same time as the Proposed Changes.

3 Integration of Environmental Considerations into the Plan

- 3.1** As outlined above, consideration of sustainability issues was integral to all stages of the review, from the initial options consultation in May 2007, through the subsequent iterations of the consultation draft, to the publication of the final policies.
- 3.2** The Options Consultation Document provided background to the RSS Review and invited comment on the following issues and options:
- The appropriate scale of pitch provision across the region;
 - The distribution of provision, where two options were consulted on:
 - Option 1 – whether distribution should be based solely on where need arises;
 - Option 2 – whether the distribution should be based on Option 1 amended to increase the minimum level of pitch provision within each local council area to 15 pitches;
 - Delivery and Implementation issues; and
 - Whether provision should be made for Travelling Showpeople.
- 3.3** Based on research undertaken to inform the review, the options were developed and proposed to inform debate about how the number of additional pitches identified could be distributed. The options were appraised against sustainability objectives, including topics explicitly covered by the SEA Directive, and the report of the Sustainability Appraisal was published alongside the Options Consultation Document. The SA Report concluded that many key areas of sustainability could not be assessed at regional level because of the lack of locationally specific information on which to base an assessment of impact. However, it appeared that the regional scale impacts on the environment would not be significant. It also concluded that from the available information, it appeared that Option 1 was likely to have more benefits in terms of sustainability outcomes than Option 2. In particular, it was concluded that a more dispersed pattern of pitch provision that was not necessarily based on need, risked being less effective in meeting the objectives of *achieving sustainable levels of prosperity and economic growth* and on *sharing access to services and benefits of prosperity fairly*.
- 3.4** Following consideration of consultation responses and further research, EERA's preferred policy option followed Option 2, which sought to achieve a wider distribution of provision to meet levels of need for more accommodation, to avoid concentration of provision in a few locations and to provide greater choice to the Gypsy and Traveller community.
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- 3.5** The proposed draft policy and approach to the SA was reported to the Regional Assembly in January 2008 and approved for submission to the Secretary of State, which occurred in February 2008. The SA Report that accompanied the submission draft policy concluded that in general the scale of development proposed is not likely to give rise to regional scale impacts; local authorities will need to consider impacts at a local scale; and no significant effects on Natura 2000 sites are predicted at regional scale but local authorities will need to carry out their own assessments to ensure that no impacts or significant effects are likely at sites in their areas. The report also concluded that more adequate provision of pitches to address Gypsies and Travellers' accommodation needs should enable more effective social and economic integration and opportunities, as well as facilitate better access to services for the target communities.
- 3.6** Following the EiP, the Secretary of State accepted the majority of the independent Panel's recommendations, which included some changes to the distribution of pitches between districts and inclusion of pitches for transit sites and plots for Travelling Showpeople. The Secretary of State also made some limited changes to the distribution of permanent pitches beyond those recommended by the Panel. An iteration of the SA was undertaken to inform the Secretary of State's Proposed Changes to the draft policies. The report of that work, undertaken by ERM, was published for consultation, together with the Proposed Changes, in March 2009. ERM also carried out an assessment of the likely effects of the policies on sites of European and international importance for wildlife at the Proposed Changes stage, and the report of their Habitats Directive Assessment was published for consultation at the same time.
- 3.7** The conclusions of the SA Report of the Proposed Changes largely reflect the findings at earlier stages in the policies' development. The report concluded that 'the level of growth proposed in the Proposed Changes to the policies addressing the provision of Gypsies and Travellers' accommodation will not lead to regional scale significant effects beyond those identified by the SA of the East of England Plan. This is because Gypsy and Traveller pitches and plots for Travelling Showpeople contribute towards, rather than being additional to regional housing requirements. Any potential significant effects will be highly localised and dependent on the locational decisions taken by local authorities. Sustainability Appraisals and Habitats Regulations Assessment of local authority plans should enable such effects to be avoided.'
- 3.8** None of the changes made to the final RSS were considered to be sufficiently significant to require further SA.

4 Taking into Account the SA Report

- 4.1** As the previous section explains, the SA was undertaken at key stages throughout the RSS review process, and each iteration resulted in a separate report. Clear and consistent conclusions emerged from the various SA Reports produced during the review process, in particular that many key areas of sustainability could not be assessed at regional level because of the lack of locationally specific information on which to base an assessment of impact. However, on the information available, it was concluded that the proposed policy or policies would not lead to regional scale significant effects and that because of this local assessments will be particularly important to consider the environmental and other effects of implementation of the policies by local authorities. In terms of wider sustainability considerations, the social and economic benefits of the policies were highlighted consistently in the SA Reports.
- 4.2** For these reasons, the SA Reports had limited direct impact on the emerging policies in terms of influencing changes to the policies as they developed. However, it is important to highlight two aspects of the review process where the SA Reports came under greater scrutiny in terms of their bearing on the emerging policies. First, the Panel that examined the draft policy considered arguments made about the differences in the approach to SA between the initial Options Consultation by EERA and that undertaken when the draft policy was submitted to the Secretary of State. These are reported at paragraphs 3.1 to 3.14 of the Panel's Report. While the Panel did not question that an adequate range of
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options was considered during the preparation process, or consider that decisions to select a preferred option were flawed, it did make a recommendation for an explanation to be provided of why the submission SA differed from that at the Issues and Options stage on the wider distribution strategy and on two objectives.

- 4.3** The Panel's recommendation for an explanation of these SA issues was addressed in the SA Report prepared on the Secretary of State's Proposed Changes, published in March 2009. Section 3.7 of that report explained the basis for the differences noted by the Panel. These are that there was a distinction between the SA of Options 1 and 2 (which compared their relative performance) and the SA of the preferred option (which is of its performance against the base position). It also explained that the SA and plan development are long-term iterative processes and that the assessment of the preferred option was against a much fuller policy and evidence base than the earlier assessment of the two different options.
- 4.4** The second aspect relates to the nature of the Proposed Changes, which were based on the Panel's recommendations, the majority of which were accepted by the Secretary of State. However, the Secretary of State did make a number of changes to the policies beyond those recommended by the Panel, which involved a limited number of amendments to the pitch numbers proposed for individual districts. It is important that these changes as a whole (those recommended by the Panel as well as the additional ones made by the Secretary of State) were subject to SA including, if necessary, consideration of any alternatives to the changes proposed.
- 4.5** This issue is addressed at paragraph 3.6 of the SA Report on the Proposed Changes. This states that, reflecting the requirements of The Environmental Assessment of Plans and Programmes Regulations in regard to assessing 'reasonable alternatives', the Issues and Options SA compared two alternatives (these are summarised in paragraph 3.2 of this statement). The Submission draft SA appraised the preferred option which it assessed relative to the baseline position. The conclusion drawn in respect of the Proposed Changes is that these are a variant of the preferred option rather than a stand alone alternative and, for this reason, it is not necessary to consider reasonable alternatives to these changes to the draft policies.

5 Taking into Account the Consultation Responses

- 5.1** A very small number of respondents commented on the SA Reports published with the submission draft RSS and with the Secretary of State's Proposed Changes. For the former, the main comments made related to concerns that the SA process had not generated or reflected consideration of sufficient policy options; and that, related to this, the preferred option for distribution of pitch provision was not based on a sufficiently robust evidence base, and that it would be preferable to meet need where it arises. These issues were addressed by the Panel at the EiP and included in the Report of the examination.
- 5.2** These points were repeated by at least one respondent to the consultation on the Proposed Changes. Other comments, resulting from the Proposed Changes consultation, on potential environmental effects of the policies did not refer specifically to the SA Report and tended to relate to potential local impacts. These included policy and landscape (particularly Green Belt) constraints, contamination of water courses, and impact on local amenity.
- 5.3** Overall, it is clear that the SA Reports produced at both the submission draft and Proposed Changes stages, have had limited influence in terms of shaping the strategic policy framework for the region on this issue. Sustainability appraisal has tended to support and reinforce the conclusions in the initial SA Report, that many key areas of sustainability could not be assessed at regional level because of the lack of locationally specific information on which to base an assessment of impact, but that it appeared that the regional scale impacts on the environment would not be significant, while there would be clear social and economic benefits arising from the policies.
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6 Reasons for Choosing the Plan

- 6.1** An important function of the SA is to ensure that decision makers consider a range of options, so that their likely performance in terms of key measures of sustainability can be compared before a preferred strategy is chosen. This includes a consideration of the significant environmental effects associated with different options, as required by the SEA Regulations. The SEA Regulations also require that information concerning 'the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with' is provided.
- 6.2** Section 3 of this Statement summarises the process by which options were identified and considered. As earlier sections explain, at each iteration of the SA, the consideration of environmental effects, in tandem with consideration of social and economic effects, has been taken into account in the evolution of the preferred strategy. The Schedule of Reasons for Change, included at Section 3 of this document, catalogue the reasons for specific revisions to the draft Plan.
- 6.3** At the strategic level, RSS can only provide a framework for future development. It is particularly the case with regard to this single issue review of RSS that a range of more locationally specific alternatives will need to be considered in due course, and it will be for local authorities and other decision makers to assess these lower level alternatives when preparing Local Development Documents and approving individual development schemes.
- 6.4** Overall the Government considers that the published revision to RSS provides a sustainable framework which responds appropriately to social, economic and environmental drivers. This review of the East of England Plan should play a part in significantly improving the quality of life for members of the Gypsy and Traveller and Travelling Showpeople communities across the region over the remainder of the plan period.

7 Measures Taken to Monitor Significant Effects

- 7.1** The European Directive 2001/42/EC requires monitoring of the significant environmental effects of implementing the plan. The Sustainability Appraisal of the policies throughout the review process has not identified any significant environmental effects at the regional scale likely to arise in implementation of the policies, and has pointed to the importance of local assessments in determining the most appropriate locations in which to provide additional pitches and plots.
- 7.2** More generally, the review requires the Regional Assembly, working with partners, to monitor net changes in the numbers of permanent and transit pitches, pitches with temporary permission and unauthorised pitches for Gypsies and Travellers, together with net changes in plots for Travelling Showpeople, for inclusion in its annual monitoring reports.
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