

PART 1 - PUBLIC

Decision Maker: Development Control Committee

Date: 14th October 2010

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **MINOR ALTERATIONS TO THE CONSULTATION DRAFT REPLACEMENT LONDON PLAN : GYPSIES AND TRAVELLERS (INCLUDING TRAVELLING SHOW PEOPLE) AND AGGREGATES**

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Chief Officer: Bob McQuillan

Ward: N/A

1. Reason for report

The report outlines two minor alterations to the consultation draft replacement London Plan concerning

- Gypsies and travellers (including travelling show people), and
- aggregates.

The minor alterations were published in September and the deadline for the response to the consultation is 25th October 2010.

2. **RECOMMENDATION(S)**

Members of Development Control Committee are asked to agree the response to the London Mayor on the minor alteration to the draft Replacement London Plan.

Corporate Policy

1. Policy Status: Existing policy. (amended)
 2. BBB Priority: Quality Environment.
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Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Planning
 4. Total current budget for this head: £3.3m
 5. Source of funding: N/A
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Staff

1. Number of staff (current and additional): 98
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Borough wide
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 In September the Mayor published the current minor alteration to the draft London Plan relating to Gypsies & Travellers (including travelling show people), and Aggregates.
- 3.2 The Mayors intention to make these alterations was highlighted to Development Control Committee in August. With regard to the Aggregates Policy the revised targets, only apply to six boroughs (Havering, Redbridge, Ealing, Hillingdon, Hounslow, Richmond).

Background to the current minor alteration in respect of Gypsies & Travellers (including travelling show people)

- 3.3 Negotiations in respect of Gypsy and Traveller pitch provision occurred both before and after the publication of the draft London Plan (October 2009). During the consultations Bromley has consistently and successfully argued for reductions in the Bromley targets. Prior to the draft London Plan publication, the London Borough's Gypsy & Traveller Accommodation Needs Assessment (GTANA) had suggested a need of 119 pitches (for the period 2007 – 2017) for Bromley, far in excess of other borough requirements. Following robust objection this figure was reduced to 58 pitches in the draft London Plan (Oct 2009).
- 3.4 The Council continued to object strongly to this figure of 58. Two of the main points of objection related to the assumptions behind the derivation of the need figure, which:
- included a significant proportion for those currently housed but with a “psychological aversion” to bricks & mortar accommodation.
 - was based on the contention that need should be met where it arises, (with little weight given to the capacity of boroughs to provide sites). This would exacerbate the existing concentration of pitches within particular boroughs, notably Bromley.
- 3.5 In March 2010 the Mayor published a Minor Alteration to Policy 3.9 reducing the requirement for Bromley to 17 pitches. This March alteration and was welcomed, since it addressed both of the key objections Bromley had raised:
- reducing the figures by discounting the demand relating to psychological aversion and,
 - giving a greater weight to capacity than to need.

The current minor alteration

- 3.6 The current (September) minor alteration in relation to gypsies & travellers involves the deletion of Policy 3.9 and the borough targets therein. Provision for gypsies & travellers & travelling show people is now proposed to be incorporated within the “Housing Choice” policy, Policy 3.8 which states that boroughs should ensure that
- “the accommodation requirements of gypsies & travellers (including travelling show people) are identified and addressed in line with national policy, in coordination with neighbouring boroughs”.*
- 3.7 The alteration states that setting strategic targets for pitches within the London Plan “is not the most effective or fair way to deliver real improvements in the provision of pitches for gypsies, travellers or travelling show people.” As reason for the change the alteration states that there is “no evidence that a target-based approach would help deliver additional pitch provision... and there was a real risk that they were becoming to be seen as ends in themselves... a distraction from the bigger picture”.
- 3.8 Strategic targets have therefore now been removed and boroughs “will be responsible for determining the right level of site provision, reflecting local need and historic demand, and for bringing forward land in DPD’s. They should continue to do this in line with current policy”

although the policy acknowledges that the “Government intends to review relevant regulations and guidance on this matter in due course”

- 3.9 Without a draft London Plan target it will fall to boroughs to address LDF pitch allocations or enforcement action against unauthorised sites with reference to “local need and historic demand”.

Suggested response to the Minor Alteration

- 3.10 Bromley objected strongly to the draft London Plan policy and the Bromley target of 58 additional pitches and as such the deletion of that specific target is supported.
- 3.11 Bromley welcomes the acknowledgement that pitch allocations are best addressed locally, however, the Mayor’s previous amendment (March 2010) had addressed Bromley’s local concerns reducing the target to 17 pitches and ensuring that the responsibility for gypsies and travellers pitch provision was borne across the Capital. There is concern that the September minor alteration fails to acknowledge pitch provision as a London wide issue, requiring instead that levels of site provision “reflect local need and historic demand”. This effectively returns to a policy which seeks to meet needs where they arise. This may lead to a situation where boroughs capable of accommodating pitches but who have historically provided very few pitches will continue to avoid making provision and instead undue pressure for additional pitches will fall on London Boroughs already accommodating a greater proportion of London’s Gypsies & Travellers.
- 3.12 Bromley welcomes the removal of references to provision for those with a “psychological aversion” to living in bricks and mortar accommodation. This theoretical need was overstated in the London Boroughs Gypsy & Traveller Needs Assessment (2008) and produced unrealistically assessments of Borough needs.
- 3.13 As the policy acknowledges the Government intends to review relevant regulations and guidance. Until the new regulations and guidance are published it is difficult to assess the impact of the proposed alteration to the London Plan on individual London Boroughs.

4. POLICY IMPLICATIONS

- 4.1 The draft alterations to the London Plan are the subject of an Examination in Public (EiP) which is taking place between Sept- Oct 2010. However, due to the timing of this minor amendment the matter of Gypsy & Traveller provision has been re timetabled for December 2010. Following the EiP, a new London Plan will be published to replace the current 2008 London Plan. The new London Plan will form part of the Development Plan for all London Boroughs. It will set the framework for preparing our own Local Development Framework which will in due course replace the existing Unitary Development Plan. Bromley’s Core Strategy when prepared will be required to conform to the London Plan.

Non-Applicable Sections:	Financial, Legal, Personnel
Background Documents	The London Plan (Spatial Development Strategy for Greater London) Consultation draft replacement plan; October 2009. London Borough’s Gypsy & Traveller Accommodation Needs Assessment (March 2008)

	<p>Minor alteration to the consultation draft replacement London Plan - Draft Policy 3.9 Gypsies and Travellers (including travelling show people) (March 2010)</p> <p>Minor alterations to the consultation draft replacement London Plan - Gypsies and Travellers (including travelling show people) and Aggregates (September 2010)</p>
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