

Newcastle-under-Lyme and Stoke-on-Trent City Council Joint Hearing Statement

In relation to COMMUNITIES (Policies C1-C7)

Hearing Session – Thursday 31st October 10am

Prior to the commissioning of the Gypsy and Traveller Accommodation Needs Assessment, 2013 (GTAA) Newcastle-under-Lyme Borough Council and Stoke-on-Trent City Council had both stated a willingness to engage in a joint GTAA covering the three local authority areas. However, Stafford Borough Council commissioned a GTAA covering the borough of Stafford and the Councils have not been provided with an opportunity to be involved at any stage of the preparation of the GTAA.

The GTAA, 2013, was not available when Newcastle-under-Lyme Borough Council and Stoke-on-Trent City Council submitted their joint representation at the Pre- submission stage and therefore the GTAA, 2013, could not be taken into consideration.

The Councils wish to raise three main issues:

- 1) The Councils consider that the GTAA 2013, has not been produced in accordance with the Duty to Cooperate regulations set out in sub sections 2a) and b) of the Localism Act, 2011 and national guidance as set out in Planning policy for traveller sites, 2012.
- 2) The geographical area of the study does not give appropriate consideration to the cross border issues of assessing Gypsy and Traveller needs.
- 3) The Councils have not been given any opportunity to input into, or make comment on, the methodology used in the GTAA, which the Councils consider to be flawed.

1) Collaboration

The Government's overarching aim is to ensure fair and equal treatment for travellers, while respecting the interests of the settled community. To help achieve this aim, Government guidance on traveller sites (Planning policy for traveller sites, 2012) states that planning authorities need to work collaboratively to develop fair and effective strategies to meet need. The need to collaborate or work in partnership with all stakeholders (including neighbouring Local Planning Authorities) is a key theme running throughout the guidance, in particular within Policy A and Policy B of the document.

The guidance is explicit in stating that when assembling an evidence base necessary to support their planning approach, local planning authorities should co-operate with other local authorities and work collaboratively (Para 6). In terms of setting pitch targets, local planning authorities are again required to do this in collaboration with neighbouring planning authorities (Para 8). Finally, the guidance states that local planning authorities should consider the production of joint development plans that set targets on a cross-authority basis to provide more flexibility in identifying sites (Para 9).

It is the Councils' opinion that the production of the Gypsy and Traveller Accommodation Needs Assessment 2013 (GTAA), which is referred to in Policy C6 through proposed Modification M74 and M75, was not produced in collaboration with other local authorities, as required through Government guidance.

The Councils therefore consider that Policy C6 has not been 'Positively Prepared' and is not 'Consistent with national policy'. In addition Policy C6 cannot be considered to be 'Effective' as the GTAA is not based on effective joint working on cross boundary strategic priorities.

2) Study Area

The GTAA geographical study area was restricted to the administrative boundary of Stafford Borough Council. However, the Councils consider that the assessment of Gypsy and Traveller need is a strategic issue that has cross border implications; the Councils consider that these have not been adequately assessed through the GTAA 2013.

The Councils consider that this is not a fair and effective approach and that it is inconsistent with the National Planning Policy Framework's requirement to plan strategically across local authority boundaries.

3) Methodology

The Councils have a number of concerns in respect of the methodology used in the Gypsy and Traveller Accommodation Needs Assessment 2013 (GTAA). In summary these are:

- The assessment of need finds a shortfall of 13 pitches for the years 12/13 – 16/17. When 'Spotacre' is included an additional 5 pitches are required as this private temporary site is due to close bringing the total figure to 18 pitches. There is also another unauthorised development with two pitches on it at 'Common Road.' This is currently tolerated. Common Road is counted as existing supply for Travellers. However, unauthorised pitches are not stable, permanent provision for Travellers and have previously been treated as evidence of need rather than supply. Calculating the two unauthorised pitches as need would bring the total of required pitches to 20, assuming no other changes are made to the study's methodology.
- The study refers to the fact that 86% of respondents interviewed identified a need for transit sites but no need is identified in the findings. However, there are no recorded illegal encampments in Stafford over the last three years. There are recorded encampments in neighbouring authorities though and national policy is clear that there should be provision in order for Gypsies and Travellers who chose to travel to do so without resorting to stopping illegally or inappropriately. The requirement to work collaboratively and assess transit provision may have resulted in need being identified for transit pitches. Since January 2013 there have been 35 illegal / unauthorised Gypsy and Traveller encampments in Stoke-On-Trent. 16 of these lasted more than 48 hours. This illustrates that there are Travellers setting up transit camps within the wider area. The need for transit provision in the area was identified in the previous GTAA undertaken in 2006/2007. The study identified a

requirement for two transit pitches for Stafford, ten for Stoke-on-Trent and five for Newcastle-under-Lyme.

- The need identified in the updated study does not seem to take account of any new households forming from bricks and mortar housing – only from pitches (6.14, pg. 43). It is our understanding from current CLG good practice guidance that the needs of Gypsies and Travellers living in bricks and mortar accommodation should be taken into account. The guidance refers bricks and mortar dwelling households, ‘whose existing accommodation is overcrowded or unsuitable, (‘unsuitable’ in this context can include unsuitability by virtue of proven psychological aversion to bricks and mortar accommodation). Need arising from households in bricks and mortar accommodation should be explored fully within the assessment. This would not be picked up in a general housing needs assessment therefore this need will not be assessed unless it is identified and explored through the Gypsy and Traveller Accommodation Needs Assessment.

The Councils consider that Policy C6 has not been ‘Positively prepared’ because the GTAA has not adequately determined the objectively assessed needs of Gypsy and Travellers in Stafford Borough. This is due to the discrepancies with the methodology used to calculate need within the study area. The methodology has also not adequately assessed the needs of Gypsy and Travellers in the neighbouring authorities of Newcastle-under-Lyme and Stoke-on-Trent.