

Item 3

Update on LG Group Gypsy and Traveller Support Programme

Purpose of report

For discussion

Summary

Richard Bennett, former Chair of LGA Gypsy and Traveller Task Group will lead a discussion at the board meeting on current plans for LG Group Gypsy and Traveller Support Programme.

In advance of this discussion, this paper gives Board Members a background overview on key issues and invites feedback at the meeting and outside it.

Recommendations

Members are invited to:

1. Endorse and support the actions being taken to develop the consider LG Group Gypsy and Traveller Support Programme.
2. Consider any further issues which should be given priority within the programme.

Action

Officers to take forward as appropriate.

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Item 3

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Background

1. Gypsies and Travellers have proved a current and very controversial issue for local government.
2. Over the last two years Local Government Improvement and Development (LGID) and the Homes and Communities Agency (HCA) have delivered a highly effective programme for local councillors seeking to address Gypsy and Traveller issues. This training has been undertaken by two experienced councillors (1 Conservative, 1 Liberal Democrat) and a Romany Gypsy.
3. Councillors were targeted because they have to make the difficult decisions on planning applications for sites. The primary intention therefore was to make them aware of their statutory obligation to make an assessment of Gypsy and Traveller accommodation needs and then to equip them to make the necessary provision. This would then help improve decision making that would withstand an appeal. In many instances the request for training came directly from elected members. Due to budgetary uncertainty the future of this programme had been at risk.
4. Following the change of government May 2010 and the publication of the Localism Bill 2010, the Coalition Government published new national policy guidance relating to site provision.¹
5. The Government committed to scrapping Regional Spatial Strategies (RSS) (and therefore regional site allocation targets), however, there remains a legal requirement under the Housing Act 2004 (HA2004), for councils to assess Gypsies and Travellers and Travelling Showpeople need for accommodation; and this must still form the basis of local plans and strategies.
6. The Government have offered councils incentives through the New Homes Bonus (NHB) in order for communities to see benefits from providing sites. In addition, the HCA has allocated £60m grant funding to local authorities under the National Affordable Homes Framework (NAHF) to assist them with the cost of public pitch provision.
7. Government have also committed to contribute £50k to LG Group to continue programme of work with elected members on traveller site provision over the

¹. This follows part of a broader set of policy announcements on reform the planning system by streamlining complex policy and guidance and decentralising the planning system to strengthen the role of elected councils and communities. See CLG Planning for traveller sites: Consultation (July 2011) at www.communities.gov.uk/planningandbuilding/travellers

Item 3

spending review period.² (See **Appendix A**: Emerging policy framework of particular relevance to Gypsies and Travellers).

8. Over the past three months officers from LG Group Programmes and Development, LG Group Peer Support and Planning Advisory Service alongside the original councillors from the training programme have been working to develop a new programme of support.
9. The Group considered a number of practical ways in which authorities could be better supported to effectively service the needs of the settled and non-settled communities alike and the LG Group could best play in helping to facilitate sharing of good practice, advice and learning.”
10. Agreement has been reached that this package should seek to deliver four phases of training over the spending review period. See Table 1.

Table 1: Structure of support

Phase	Description	
Phase 1	Awareness raising for Gypsy and Traveller issues	x 10 half-day events to help elected members understand G&T issues (free)
Phase 2	“Methods” and “duty to cooperate” for Gypsy and Traveller	x 6 follow-up half-day events to help members act sub-regionally on G&T issues (charged)
Phase 3	“Practical steps and delivering Gypsy and Traveller sites “	x5 follow-up half-day events to help members act on G&T issues (charged)
Phase 4	“Train the trainers “	x1 Training event to create new people able to deliver materials

Financial Implications

11. The LG Group has welcomed the offer to contribute funding to support their programme of work with elected members on traveller site provision. Where appropriate we will seek strategic opportunities to align this funding with other programmes to achieve maximum economies of scale.
12. For example by working with the Planning Advisory Service (PAS) on this programme, the impact, reach, and value for the sector will be enhanced. PAS will align this Programme where appropriate, with its current support offer on planning reform. The cost of this will be met by PAS and not from this grant allocation.

² The LG Group submitted a full response LG Group response to the Planning for Traveller Sites Consultation (August 2011) www.lga.gov.uk/planning

Item 3

13. However the existing resource base and limited budget for this programme restrict the number of projects and pieces of work that can be undertaken at any one time. Already we have received requests from councils new to the programme as well as from areas which have already participated in the earlier programme, who now have strategies in place and are ready to move ahead on site provision. It will extremely important going forward to publically manage the delivery expectations of this programme of support.

For discussion

14. Richard Bennett, former chair of LGA Gypsy and Traveller Task Group will lead a discussion at the board meeting on current plans for LG Group Gypsy and Traveller Support Programme. To help inform future priorities for this programme will be asked to reflect on:

- 14.1 Gypsies and Travellers 'need' versus 'demand' in local authority site identification and implementation.
- 14.2 The obligations falling to local authorities, particularly from the Housing Act 2004 (HA2004), including the role of enforcement.³
- 14.3 The importance of the councillor's role in making decisions to meet the accommodation needs of Gypsies and Travellers
- 14.4 Financial implications for this programme of support and future board governance arrangements

³ LG Group has been strongly petitioned by our member authorities highlight a particular issue in relation to illegal Traveller encampments and the difficulties utilising powers under the Criminal Justice and Public Order Act 1994. In our response, we have called for a dialogue with government to revisit the suitability of enforcement legislation for LPAs who can demonstrate they have made every reasonable effort to identify transit site provision.

Item 3

**Appendix A: Emerging policy framework of particular relevance to LG Group
Gypsies and Travellers Support Programme**

Localism Bill (December 2010)	
<ul style="list-style-type: none"> • abolish RSS targets and therefore targets for Gypsy and Traveller sites; • restrict and further penalise unauthorised developments; • introduce a New Homes Bonus (NHB) • create a 'bottom up' planning process where neighbourhoods have greater say in planning processes; 	<ul style="list-style-type: none"> • create Local Enterprise Partnerships (LEPs); • promote the 'Big Society' and new powers, roles and ownership of assets for community groups; • a duty on local authorities to 'cooperate'.
Planning for traveller sites: Consultation' (April 2011 – August 2011)	
<ul style="list-style-type: none"> • enable local planning authorities (LPAs) to make their own assessment of need for the purposes of planning; • enable LPAs to use their assessment of need to set their own targets for pitch/plot provision; • encourage LPAs to plan for sites over a reasonable timescale; • protect the Green Belt from development; • ensure that LPAs, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites; • promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites; • reduce the number of unauthorised developments and encampments and make enforcement more effective if local planning authorities have had regard to this policy; 	<ul style="list-style-type: none"> • ensure that the development plan includes fair, realistic and inclusive policies; • increase the number of traveller sites, in appropriate locations with planning permission, to address under-provision and maintain an appropriate level of supply • reduce tensions between settled and traveller communities in planning decisions • enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure.
<p>National Planning Policy Framework (NPPF) Consultation July 2011 – October 2011</p>	
<ul style="list-style-type: none"> • Gypsy and Traveller policy will be included in the final version of the NPPF once the results of Planning for traveller sites consultation have been assessed 	