

OVERVIEW & SCRUTINY COMMITTEE

CHAIRMAN:

DATE: 28th May 2019

REPORT OF: Housing Enabling and Development Manager

SUBJECT: Gypsy and Traveller Provision in Teignbridge

PART I

RECOMMENDATIONS

- 1. To note the progress made in respect of the delivery of permanent gypsy and traveller pitches in Teignbridge.**
- 2. To endorse the actions being taken to meet the need for transit pitches in Teignbridge**
- 3. To note the work taking place with Devon County Council and the Police in addressing unauthorised use of land by gypsies and travellers in a coordinated way across the County of Devon**

1. PURPOSE

1.1 To update Members of the Overview and Scrutiny Committee in respect of progress made in meeting the Councils Gypsy and Traveller pitch provision.

2. BACKGROUND

2.1 The Teignbridge Local Plan 2013 -2033 adopted on 6th May 2014 details within Policy WE6 Homes for the Travelling Community, the Councils policies and targets to meet its statutory requirements in accordance with National Planning Policy. Policy WE6A further emphasised this desire by allocating land at Middletree Park, Haldon in the parish of Kenn for a publicly run traveller site.

2.2 Further reference is made to Gypsies and Travellers within Policies SWE1 and NA1 where the developments are required to make provision for the travelling community. The policies go on to state that consideration will be given to off-site provision if a suitable alternative is proposed.

3. CURRENT PROVISION

3.1 The Council are required to carry out a bi annual Gypsy and Traveller Count across the district. The last published counts were carried out in January 2018 and July 2018 with the counts identified as 106 and 79 caravans / living vehicles distributed across 12 Parishes. The variation shows the seasonal nature of the travelling and non-travelling times of year.

4. CURRENT PROGRESS IN RESPECT OF LOCAL PLAN TARGET

Site Name	Pitches	Total
Haldon Traveller Site. Manly funded by HCA, now Homes England Grant Funding	Pitches 15 Completed	
Haldon Traveller Site Extension.(Developer funded by way of an off-site affordable housing contribution linked to SWE1)	Pitches 3 Completed	Total 18
Planning Consent at Private Site in Chudleigh	Pitches 11 Completed	Total 11
Various smaller private sites or additional pitches on existing private sites in Bickington (8) Teigngrace (4) Ideford (1) Tedburn St Mary (2) Woodland (1)	Pitches 16 Completed	Total 16
Total Completed		45
Planning application at Teigngrace, Newton Abbot	Pitches 9 Consented	
Consented but not built		9
Planning application at Horsemills, Kingsteignton	Pitches 15 Pending	Total 15
Planning Application at Bovey Straights, Bovey Tracey	Pitches 9 Pending	Total 9
Application Pending		24

Original Local Plan Target	70	
Target Less Completed	70 - 45	25
Target Less Completed and Consented	70 - 54	16

4.1. Should the two current planning applications presented before the Council be approved then Teignbridge are exceeding our delivery targets and can evidence a five year land supply of permanent pitches.

4.2 There is a current review of the Teignbridge Local Plan including the provision for the travelling community. It is anticipated from work carried out so far by the Strategic Planning Team that the future demand for Gypsy and Traveller pitches remains fairly constant and therefore the current target of 3.5 pitches per year will be projected forward. (70 pitches over 20 years 70 divided by 20 equals 3.5 pitches annually)

4.3. However, in consultation with the Gypsy and Traveller community via the Teignbridge Gypsy and Traveller Forum and beyond it is recognised that there is a need but no current policy to deliver transit provision. This matter is currently being considered by the Strategic planning Team.

5. TRANSIT PROVISION

5.1. Housing Officers have held discussions with Devon County Council to highlight that the current practice of travellers who pass through the County stopping on unauthorised parcels of land due to the lack of authorised stopping places needs to be addressed.

5.2. Devon County Council (DCC) have accepted this to be the case and are coordinating on an Authority by Authority basis an assessment of potential DCC land which could potentially provide a network of coordinated stopping places across the County. This work is well advanced in South and East Devon and is just starting in Teignbridge.

5.3. The argument for this provision is well rehearsed as a network of authorised stopping places negates the need for unauthorised use of land thus reducing potential animosity with the travelling community and Officer time and expense in taking eviction proceedings. This has been the subject of a recent report to the Overview and Scrutiny Committee on 19 November 2019 (Appendix A)

This issue has also been recognised by the Police who have put time and effort into setting up the Gypsy, Roma and Traveller Peninsula Meeting. The terms of reference being “to work together to establish joined up working practices to ensure a consistent approach to traveller related issues across Devon, Cornwall, Plymouth and Torbay” The inaugural meeting was held in January to which Teignbridge were invited to attend and contribute.

5.4 The Devon County Council Gypsy and Traveller Liaison team are currently collating data on the instances of unauthorised encampments across the County together with details of the Officer time and expense in dealing with the legal process and site clear up costs where necessary. Latest data indicates that Teignbridge dealt with 6 cases of unauthorised encampments on our land during 2018/2019. Although not formally recorded it is estimated that each incident cost in the region of £2,000 to cover legal and clean-up costs. This excludes officer time and ancillary costs such as loss of car parking income.

6. DEVON COUNTY COUNCIL PROPOSALS

The following text is an extract from a document circulated by Devon County Council to all Councils in Devon.

There are groups of more mobile Gypsies and Travellers that we see in the travelling months (April-October) for weeks at a time. We have no transit sites across the county. Unauthorised Encampments can often turn up at locations which are deemed high profile – these are locations which are unsuitable, they can include locations such as Park and Rides and school fields. In these circumstances the County Council takes the decision to apply for a possession through the court ASAP, at a cost to the County Council in terms of officer time and court orders and a drain on partner agency resource – the legal cost alone is £2000 to go through that court process.

Gypsies and Travellers do not understand district/county boundaries and responsibilities; what these groups experience when travelling through the county of

Devon differs according to what area and land they occupy. This creates a gap in their experience and it highlights a need for a more coordinated, consistent approach across authorities in Devon and neighbouring authorities.

Proposal

We have a gap in what is provided for Gypsies and Travellers; we know that with no formal transit sites, collectively, we must find other ways of working to lighten the load in those travelling months for mobile Gypsies and Travellers in high profile locations across the county, both on County and District land.

District colleagues have been approached to seek a more coordinated way to deal with this gap, and the willingness to explore negotiated stopping has been agreed:

Negotiated Stopping very simply means that the local authority no longer resorts immediately to legal means to shift unauthorised encampments in high profile locations; instead using dialogue and negotiation, directing travelling families to stay, for limited periods of time, on land already identified and agreed where it isn't causing great inconvenience to anyone.

The families make an agreement with the relevant authority (County or District) about acceptable behaviour, use of waste disposal, when the camp will leave; the lead authority then monitors the encampment until the site is clear.

No authority should have to shoulder the burden of UEs by themselves. Devon County Council is seeking to widen this offer to other district areas to find out if we could create a 'network' of pieces of land across Devon (1-2 in each district area) in which Gypsies and Travellers can be directed to if they turn up in those unsuitable locations. It also means that there can be more coordination when finding out where Gypsies and Travellers are moving next in Devon and start to link together so that services such as rubbish collections and Portalooos can be installed with little time delay which can further reduce potential clean-up costs at the end.

What would that look like?

The process would need to be explored and agreed. The initial proposal could be that where ever the group land first, the authority who is responsible for that land is then the authority responsible for the UE at the negotiated location.

It is understood that locations identified would need to have some sort of hard standing and level access as money to make areas accessible will be very little. Portaloo provision and rubbish collection would happen the same way it does now. The idea is to make this a low-cost alternative to big clear up costs at unsuitable locations and the bad press that often is reported.

What about Gypsies and Travellers who do not want to engage?

There will always be the minority within the community that do not want to liaise and negotiate. We would still offer the negotiated stopping, if this was not taken up by

them, it would then be another factor which would aid the court process when seeking a possession order to remove them from the high profile, unsuitable location.

6. MAIN IMPLICATIONS

6.1 The implications that Members need to be aware of are as follows:

6.2 The working up of proposals would necessitate Officer time across the Council. However the successful implication of a network of authorised negotiated stopping places could reduce cost to the Council in respect of Legal and Clean-up costs.

7. GROUPS TO BE CONSULTED

None

8. WITNESSES TO BE CALLED

Sabrina Thomas Gypsy Traveller Liaison Officer, Devon County Council

9. TIME-SCALE

Immediate

Graham Davey
Housing Enabling and Development Manager

Wards affected	<i>All</i>
Contact for any more information	<i>Graham Davey 01626 215412 graham.davey@teignbridge.gov.uk</i>
Background Papers (For Part I reports only)	<i>None</i>
Key Decision	<i>No</i>
In Forward Plan	<i>Yes</i>
In O & S Work Programme	<i>Yes</i>