

AGENDA

LOCAL DEVELOPMENT DOCUMENT TASK AND FINISH SCRUTINY PANEL MEETING



Overview and Scrutiny

Date: Tuesday 21 February 2012

Time: 6.30 pm

Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors: Ash, Burton (Chairman), English
(Vice-Chairman), FitzGerald, Harwood,
Paine, Springett and Mrs Wilson

Page No.

1. **The Committee to consider whether all items on the agenda should be web-cast.**
2. **Apologies.**
3. **Notification of Substitute Members**
4. **Notification of Visiting Members**
5. **Disclosures by Members and Officers**

Continued Over/:

Issued on: 13 February 2012

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact Clare Wood on 01622 602491**. To find out more about the work of the Overview and Scrutiny Committees, please visit www.maidstone.gov.uk/osc

Alison Broom

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone, Kent ME15 6JQ**

- a) Disclosures of interest.
- b) Disclosures of lobbying.
- c) Disclosures of whipping.

6. To consider whether any items should be taken in private because of the possible disclosure of exempt information.

7. Minutes of the Meeting Held on 24 January 2012 **1 - 5**

8. Cabinet, Council or Committee Report for Core Strategy: Targets for Gypsy & Traveller pitches and Travelling Showpeople plots **6 - 17**

Interview with:

Flo Churchill, Interim Head of Core Strategy Development and Sarah Anderson, Principle Planning Officer.

9. Future Work Programme **18 - 22**

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE LOCAL DEVELOPMENT DOCUMENT TASK AND FINISH SCRUTINY PANEL MEETING HELD ON TUESDAY 24 JANUARY 2012

PRESENT: Councillor Burton (Chairman)
Councillors Ash, English, Harwood, Paine and
Springett

11. The Committee to consider whether all items on the agenda should be web-cast.

Resolved: That all items on the agenda be webcast.

12. Apologies.

Councillor Mrs Wilson sent her apologies.

13. Notification of Substitute Members

There were no Substitute Members.

14. Notification of Visiting Members

There were no Visiting Members.

15. Disclosures by Members and Officers

There were no disclosures by Members and Officers.

16. To consider whether any items should be taken in private because of the possible disclosure of exempt information.

Resolved: That all items be taken in public as proposed.

17. Minutes of the Meeting Held on 15 November 2011

Resolved: That subject to the amendment of Minute 5 Disclosures by Members and Officers to read:

"Councillor Harwood, as a Member of the Planning Committee which would be considering two specific applications referenced by the petition, left the room when item 8 – Reference from Council was considered to avoid prejudicing himself when considering those applications or any other applications that might be indirectly related to the petition."

The Minutes of the meeting held on 15 November 2011 be agreed as a correct record of the meeting and duly signed by the Chairman.

18. Feedback from Members Workshop on Integrated Transport Strategy & Progress Update

Flo Churchill, Interim Head of Core Strategy, presented the feedback from the Members' workshop on the Integrated Transport Strategy. Not all Members had attended but there had been a wide ranging discussion on the issues around transport modelling and the event had been productive. The briefing note presented to the Panel is attached at Appendix A.

The Panel made some suggestions for further information that could be looked at and considered:

- That on-street car parking be considered when reviewing the car park availability in the town centre; and
- That the Yalding Parish Council HGV survey data, that had now been funded, be asked to be shared with the Council

The Panel asked how the Air Quality Management Area (AQMA) work was being fed into the strategy and suggested that specific Air Quality hotspots needed specific work carried out. It was noted that the Policy team had representatives on the AQMA group. The point regarding the hotspots was accepted by officers but it was highlighted that the Core Strategy was a strategic level document and it was not appropriate for the Integrated Transport Strategy to get site specific on certain issues. However, as the planning system was being reviewed, and if local plans were brought back in, this would be considered. It was noted that the air quality issues were exacerbated by congestion which the Urban Traffic Management Centre could not solve but could move from place to place.

The Panel discussed the origin and destination data in relation to journeys through the town centre and were informed that the town centre was defined in the core strategy, and that the urban area and rural service centres had also been defined. Members highlighted some issues with using origin and destination data as there were multiple common routes to some locations, such as Maidstone Hospital, that could avoid the town centre or go through the town centre but represented the same origin and destination.

Concerns were raised by the Panel that the focus of the documents, and the briefing provided to the transport consultants, was heavily in favour of park and ride and the panel wanted reassurance that other options were being considered. The officer stated that the original wording on the council's preference for park and ride as a solution had been amended to ensure it reflected that it was planning policy officer's professional opinion that park and ride was the best solution, rather than the opinion of the council. The panel were assured by the officer that park and ride, whilst felt to be the best solution, was not the only solution being looked at by officers. Members requested that this borne in mind by officers as they felt it was crucial all routes and permutations were considered against a range of options to provide the best solution for the borough. This included considering options such as a strategic link road.

Members were informed that the council had a lobbying role to play in determining bus times and schedules and the Quality Bus Partnership was being revived. It was crucial that the timing of the lobbying was right to coincide with contract end dates and renewals. It was noted that the capital and running costs for bus services were expensive and the difficulties were understood.

A workshop was to be held with town centre businesses in order to capture their feedback and information on travel and transport considerations in the town centre. The panel requested that the attendees include public as well as private sector organisations as Maidstone had a large public sector.

Resolved: That the update from the workshop be noted and officers consider the issues raised by the Panel in the on-going work into the integrated transport strategy and parking strategy.

19. SCRAIP Response on the Reference from Council, Petition calling upon the Council to help protect the open countryside

Chris Garland, Leader of the Council and Rob Jarman, Head of Planning addressed the panel in order to provide more detail on their response to the SCRAIP arising from the petition. The response had stated that the benchmarking requested by the panel would not be carried out and the panel sought more information as to why this was the case.

The Leader of the Council stated that the performance in the planning enforcement section had improved significantly with a large backlog of hundreds of enforcement cases being reduced to fifty on-going cases. In particular enforcement of unauthorised gypsy and traveller cases created a lot of work with 9 out of 11 notices relating to unauthorised gypsy pitches. Gypsy and traveller issues were difficult to deal with through the planning system and created a perception amongst residents that nothing was being done. This was due to the process of no application for a site > enforcement notice issued > retrospective application received > refusal > appeal > inspectorate grants appeal due to gypsy and traveller need and no specific policies to support the council. He highlighted that the free planning peer review being undertaken in March 2012 would also encompass enforcement.

The Head of Planning, went into further detail on the improvements made to enforcement. He pointed out that not only had the backlog of cases been reduced, but 19 Audit recommendations were made in June 2009, all of which had been successfully implemented and a planning enforcement policy had been brought out in February 2010. A performance culture had been brought in to the section in line with the development control section that enforcement had joined with in 2009. This had led to a vast improvement in performance with 12 week targets for dealing with cases that had been missed being reduced to 3 weeks targets that were met. Work was underway on further integration between development control and enforcement, as the development management section, to improve

resilience and cross working with planning officers covering applications and enforcement cases.

The panel asked if other areas had the same problems as Maidstone with regard to gypsy and traveller appeals. The Head of Planning informed the panel that these were issues for all areas, though Maidstone had the highest number of gypsy sites in Kent. The reason that this was a problem was a lack of planning policy documents to support enforcement action whilst there was a residual need and other authorities also lacked the documents required, for example gypsy and traveller DPDs.

The difficulties in dealing with the issues were recognised by the panel and they supported what had been said. They also highlighted that the need for policy protection, through designation, of countryside was crucial and concerns were raised that the national planning policy framework would not provide this and could lessen protection making the situation worse. The Head of Planning suggested that the Core Strategy should have a tight landscape criterion for screening and backdrops to afford some of that protection.

The Panel highlighted that the figures for gypsy applications needed to be put in context. Out of 707 units being built 10 were permanent and 2 were named gypsy units. The panel also inquired as to why the numbers of breach of conditions notices were going up and asked if they carried weight. It was explained that had there been a need for the notices and it was right that the numbers were rising. Breach of conditions notices could not be appealed which made them expeditious. They carried teeth because new developments with breach of conditions notices on their land searches were less likely to sell and this encouraged developers to take action to resolve the breaches.

It was suggested that the Core Strategy should set large areas of green space rather than 'wedges' and it was felt appropriate that the issue of protection for green areas should be taken up with the LGA and other bodies to take action.

The subject of proportionate time and resources for small numbers of sites was discussed and it was highlighted that whilst there were not that many sites they created a lot of concerns often expressed through letters to enforcement.

Having spoken to the Leader of the Council and the Head of Planning the Panel felt that the response to the SCRAIP should be amended to include additional wording:

"However, the Council is undertaking a peer review that will include enforcement and its effectiveness without additional cost to the Council."

Resolved: That the Leader of the Council be recommended to amend the SCRAIP response with the additional wording:

“However, the Council is undertaking a peer review that will include enforcement and its effectiveness without additional cost to the Council.”

20. Future Work Programme

The Panel considered its future work programme and requested that Jonathan Morris be invited to the next meeting to provide a written update and interview on the Transport workshop.

The Panel had found the interviews conducted as part of this meeting extremely useful and felt it would be beneficial to conduct interviews related to documents they would be considering in future as part of an evidence gathering and knowledge building exercise.

Resolved: That the work programme be noted and Jonathan Morris be invited to the next meeting to provide a written update and interview on the transport workshop.

21. Duration of Meeting

6.30 p.m. to 7.58 p.m.

Agenda Item 8

Maidstone Borough Council

Local Development Document Task and Finish Scrutiny Panel

Tuesday 21 February 2012

Core Strategy: Targets for Gypsy & Traveller pitches and Travelling Showpeople plots

Report of: Overview and Scrutiny Officer

1. Introduction

- 1.1 The Task and Finish Scrutiny Panel has been appointed by the Regeneration & Economic Development Overview and Scrutiny Committee to take on the advisory function to the Executive during the Local Development Document process as well as the role of Overview and Scrutiny within the policy framework process.
- 1.2 To consider the proposed targets for Gypsy & Traveller pitches and plots for Travelling Showpeople.

2. Recommendation

- 2.1 It is recommended that the Committee considers the information within the report for Cabinet (attached). The Committee may wish to make recommendations to the Officers or request further information.

3. Background information

- 3.1 In April 2011 draft planning guidance was issued to local authorities 'Planning for Traveller sites' which set the expectation for local authorities to make their own assessment of need in relation to Gypsy & Traveller sites and plots for travelling showpeople and set targets accordingly. The report sets out details of the assessment and seeks support from the Task and Finish Panel of the proposed targets for inclusion within the Core Strategy.

4. Impact on Corporate Objectives

- 4.1 The consideration of accommodation needs of the the Gypsy & Traveller and Travelling Showpeople community relates to the Strategic Plan priority 'For Maidstone to be a decent place to live' and specifically the outcome 'Decent and affordable housing across a range of tenures.

MAIDSTONE BOROUGH COUNCIL

CABINET

14TH MARCH 2012

REPORT OF DIRECTOR OF CHANGE, PLANNING AND THE ENVIRONMENT

Report prepared by Sarah Anderton

1. CORE STRATEGY: TARGETS FOR GYPSY & TRAVELLER PITCHES AND TRAVELLING SHOWPEOPLE PLOTS

1.1 Issue for Decision

1.1.1 To consider and agree the numerical targets for Gypsy and Traveller pitches and Travelling Showpeople plots for inclusion in the Publication version of the Core Strategy (Regulation 27 consultation). This quantification of traveller need is critical as it will frame the number of pitches that the Council will have to identify on sites in the Development Delivery Development Plan Document timetabled for adoption in March 2015.

1.2 Recommendation of the Director of Change, Planning and the Environment

1.2.1 That the following figures be agreed as the target for Gypsy and Traveller pitches for inclusion in the Publication version of the Core Strategy (Regulation 27 consultation).

	Oct 2011 – March 2016	April 2016 – March 2021	April 2021 – March 2026	Oct 2011 – March 2026
Gypsy Pitch requirement	105	25	27	157

1.2.2 That the following figures be agreed as the target for Travelling Showpeople plots for inclusion in the Publication version of the Core Strategy (Regulation 27 consultation).

	Oct 2011 – March 2016	April 2016 – March 2021	April 2021 – March 2026	Oct 2011 – March 2026
TS plot requirement	7	1	1	9

1.3 Reasons for Recommendation

Background

- 1.3.1 Current national guidance on planning for travelling communities is set out in Circular 1 of 2006 'Planning for Gypsy and Traveller sites' and Circular 4 of 2007 'Planning for Travelling Showpeople'. This directs authorities to undertake Gypsy and Traveller Accommodation Assessments (GTAAs) to understand the need for additional traveller accommodation in their areas. At the time the guidance was issued, a regional planning structure was in place whereby the target number of pitches and plots an individual authority had to provide was set at the regional level, informed by the evidence in the GTAAs. With the abolition of the Regional Spatial Strategies, this is no longer the case. The incomplete South East Plan Partial Review would have seen some of the pitch requirement generated in high providing boroughs, such as Maidstone, redistributed across the region.
- 1.3.2 In June 2010 the Government announced its intention to prepare new 'light touch' guidance covering this issue. The draft Planning Policy Statement 'Planning for Traveller Sites' (PPS) was published for consultation in April 2011. Particular features of the Government's proposed approach include that local authorities are best placed to make their own assessment of needs and to set their own pitch/plot targets and that this should be based on an up to date understanding of permanent and transit accommodation needs to inform Development Plan preparation. Pitch and plot targets should be set in the light of historic demand.
- 1.3.3 The statutory definition of Gypsies and Travellers (including Travelling Showpeople) in the Housing Act 2004 for Gypsy & Traveller Accommodation Assessment is;
- (a) *Persons with a cultural tradition of nomadism or of living in a caravan; and*
 - (b) *All other persons of nomadic habit of life, whatever their race or origin, including:*
 - (i) *Such persons who, on the grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently; and*
 - (ii) *Members of an organised group of travelling showpeople or circus people (whether or not travelling together as such)*

- 1.3.4 There is a distinct and separate definition of Gypsies and Travellers (excluding Travelling Showpeople) for planning purposes in Circular 1 of 2006. This is as follows;

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' education or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

- 1.3.5 This 'planning' definition of Gypsies and Travellers has been carried forward into the draft PPS. It is more limited than the Housing Act definition as it includes only those who either have a nomadic lifestyle or those who are no longer travelling for the specific reasons of their, or their dependants', old age, health or education.
- 1.3.6 This 'planning' definition is relevant for determining specifically how many pitches are needed into the future, a pitch being the area of land and number of caravans needed to accommodate a single household (akin to a conventional house). The consultation document accompanying the draft PPS states that the definition 'is not based on ethnicity or cultural tradition as many ethnic Gypsies and Travellers will not have an individual history of nomadism, and hence will have no associated land use requirements for a site.' (paragraph 3.8, emphasis added).
- 1.3.7 Locally, the picture has been of continuing growth in Gypsy pitch numbers. The Gypsy and Traveller Accommodation Assessment (GTAA) undertaken in 2005 for Maidstone, Ashford, Tonbridge & Malling and Tunbridge Wells borough councils by David Couttie Associates (DCA) revealed a total need for 47 additional pitches in Maidstone borough for the 5 year period April 2006 to March 2011. During this period, permanent planning consent was granted for some 52 mobile homes (either by the Council or at appeal) thus the numerical need was met through the granting of planning consents.
- 1.3.8 Going forward, the Core Strategy must include targets for the number of Gypsy pitches, and Travelling Showpeople plots, to be provided in the borough. On 9th February 2011 Cabinet agreed a target of 71 pitches for the 10 year period 2006 to 2016 for inclusion in the draft Core Strategy (Regulation 25 version). This target was derived by rolling forward the DCA GTAA findings, using the best information available at the time, to cover the second 5 year period to 2016. At the same meeting Cabinet agreed not to set a target for Travelling Showpeople plots based on the consideration of the available evidence in the 2007 Travelling Showpeople Accommodation Assessment which had been undertaken for 9 Kent authorities including Maidstone.

1.3.9 Since these decisions:

- The draft PPS has been published (above) which directs authorities to set their own targets based on robust evidence in the light of historic demand;
- There has been recognition that the Core Strategy target should extend to the end of the Core Strategy period (2026). In view of the length of time since the DCA GTAA was undertaken, it would not be credible to simply roll forward the findings of that study a further 10 years to 2026;
- Appeal decisions: Some appeal decisions have challenged the findings of the DCA GTAA in particular the limited account it takes of the accommodation needs of Gypsies and Travellers in bricks and mortar housing. Appeal inspectors have instead placed weight on Caravan Count data as a measure of the scale of unmet need in the borough. In a significant number of cases, appeal inspectors have acknowledged harm to the countryside but have granted temporary consent because of the overall need for Gypsy pitches and because sites have not yet been allocated in a Development Plan Document.

1.3.10 The draft Core Strategy was published for public consultation (Regulation 25) in September/October. Policy CS12 of the draft Core Strategy covers Gypsy and Traveller matters and prompted a range of consultation responses. The text of the draft Core Strategy acknowledged that the proposed target of 71 pitches (2006 to 2016) would be reviewed in the light of a new Gypsy and Traveller Accommodation Assessment. Other detailed comments were made about the specific criteria of the policy and these will be reviewed and reported back to Members ahead of revised Core strategy being prepared for the next stage of consultation (Regulation 27) in the summer.

Gypsy, Traveller & Travelling Showpeople Accommodation Assessment: Maidstone (GTSSAA)

1.3.11 Salford University Housing & Urban Studies Unit has been commissioned to undertake a new assessment to measure the need for Gypsy pitches and Travelling Showpeople plots to 2026. The research team has a range of relevant experience at both the regional and national level and has undertaken some 17 such studies in the past. As part of the same procurement process Sevenoaks District Council appointed the Salford team to undertake an assessment using the same methodological approach.

1.3.12 The assessment has been undertaken with full regard to Government's emerging approach to planning for travellers set out in the draft PPS. It was undertaken by means of firstly, a review of existing data such as the bi-annual caravan count and secondly face-to-face interviews members of the travelling community between September and November 2011. The table below shows the response rate for the various types of site.

1.3.13 Table 1: Survey response rates

Type of site	% households interviewed (number)	% sites where interviews achieved (number)
Public Gypsy & Traveller sites (2)	48% (16)	100% (2)
Private authorised Gypsy & Traveller sites (permanent)	37% (50)	54% (35)
Private authorised Gypsy & Traveller sites (temporary)	23%(10)	41% (7)
Unauthorised Gypsy & Traveller sites	29%(15)	49% (14)
Authorised Travelling Showpeople sites	0%(0)	0% (0)
Unauthorised Travelling Showpeople sites	43%(3)	100%(1)

1.3.14 In addition, Gypsies and Travellers living in bricks & mortar housing in the borough were interviewed. As in previous assessments across the country, the number of Gypsies and Travellers in bricks and mortar housing proved difficult to establish. Local knowledge of households was used as the best source of information to achieve interviews with 21 households. The study uses the pragmatic working assumption that 50% of the housed Gypsy population were interviewed based on the best and only information available at the time of the assessment.

1.3.15 In total some 115 interviews were completed across the range of accommodation types which equates to 37% of the estimated resident travelling community. The study authors confirm that 'the sample included a range of accommodation types and household circumstances and there is no reason to consider that those households are included in the survey are untypical from the total population of the area. Overall it is considered that the findings for the assessment are based on reliable information from accommodation types within the Study area'.

1.3.16 The primary purpose of the assessment is to measure the need for accommodation. The following factors were measured to determine

the scale of accommodation need arising from the travelling community in the borough:

- Having no authorised accommodation;
- Having no authorised accommodation at a point in the future because of the expiry of a temporary planning consent;
- Concealed households e.g. adult children living with parents
- Overcrowded or unsuitable accommodation;
- Movement between sites and housing over the assessment period;
- New household formation i.e. household growth over time.

1.3.17 The study then further refines the need assessment to confirm how many of these households have a need for site-based accommodation (i.e. pitches) under the terms of the 'planning' definition. To do this the accommodation need arising from households on unauthorised sites and temporary sites was further analysed to take account of the responses where the stated reasons for not travelling were other than age, health or education i.e. where the responses did not meet the terms of the planning definition. Legal advice confirmed that it was entirely reasonable to use this 'planning' definition to determine the overall scale of pitch need to inform future planning documents and planning decisions.

1.3.18 A further allowance has been made for the circumstances where two individuals from separate households set up home together e.g. by marriage. A potential need for two pitches (one for each person) is actually met on a single pitch. A factor of 1:0.75 has accordingly been applied to the rate of new household formation to take account of this trend. This approach was supported in the incomplete Inspectors Report for the South East Plan Partial Review.

Core Strategy Target

1.3.19 The base date for the study is 1st October 2011. Taking account of the factors set out in paragraphs 1.3.16 to 1.3.18 above, the study concludes the following need for pitches over the remaining Core Strategy period:

Table 2: Gypsy & Traveller Pitch requirement (using the planning definition)

	Oct 2011 – March 2016	April 2016 – March 2021	April 2021 – March 2026	Oct 2011 – March 2026
Pitch requirement	105	25	27	157

1.3.20 The main drivers of need for the first 5 year period arises from existing unauthorised sites and from sites with temporary consents which will expire. For the 2016-21 and 2021-26 periods, the sole generator of need is household growth.

1.3.21 The study provides an up to date empirical assessment of the local need for pitches which takes full account of the factors that contribute to need. As an evidence-based assessment of local need, the study is substantially more refined and comprehensive than a simple trend-based projection of need based on the historic pattern of provision in the borough. To this extent it is considered to constitute 'a robust assessment' as required by the draft PPS. It is recommended that the figures in the table above are included in the Core Strategy as the pitch targets for the three 5 year periods between 2011 and 2026.

1.3.22 This need for pitches will be met through the sources a) to d) below;

Table 3: sources of pitch supply

Sources of Pitch Supply	Commentary
a Permanent permissions granted from 1st October 2011 onwards (including on future allocated sites)	15 pitches have been granted permanent consent between 1 st October 2011 and 31 st January 2012.
b New public pitches	15 Homes & Communities Agency funded public pitches will be delivered by March 2015.
c Genuine pitch turnover on public sites	This will be monitored. Turnover has historically been very low.
d Permanent private sites becoming vacant	This will be monitored. Historically this has been minimal.

1.3.23 15 pitches will be delivered on a new public site (or sites) by March 2015. The successful bid from Town & Country Housing Group and the Council has secured £1.3million funding from the Homes & Communities Agency for this purpose. This is a significant step in addressing the specific need for affordable pitches and in boosting the supply of pitches overall. Upon completion, these 15 pitches will contribute to the proposed target.

1.3.24 It is of note that **43** pitches currently have temporary consent (at 31st January) some of which have been granted at appeal. Any of these

subsequently granted a permanent consent would contribute to the supply of pitches and thereby contribute to the proposed target.

Travelling Showpeople

1.3.25 In contrast to Gypsies and Travellers, there are relatively few known Travelling Showpeople living in the borough. Four yards were identified. Three are authorised (estimated 5 plots in total) and one is a long established unauthorised yard (7 plots). Despite best efforts, interviews could only be achieved on the unauthorised site.

1.3.26 The study concludes the following need for Travelling Showpeople plots over the remaining Core Strategy period. The existing unauthorised site is the sole generator of the need for the first period. Thereafter the need for additional plots in 2016-21 and 21-26 arises due to household growth. For the same reasons as for the pitch assessment, it is recommended that the figures in the table below are included in the Core Strategy as the pitch targets for the 5 year periods between 2011 and 2026.

Table 4 – Travelling Showpeople Plot Requirement

	Oct 2011 – March 2016	April 2016 – March 2021	April 2021 – March 2026	Oct 2011 – March 2026
TS plot requirement	7	1	1	9

Transit Sites

1.3.27 Transit sites are sites intended for short stays and are used by Gypsies whilst they are travelling. The study assessed whether there was an identifiable need for such sites in the borough. The findings were that transit need appears to be met informally on private sites by allowing visitors (extended family members) onto their sites for short periods whilst visiting. There is therefore little or no evidence of need for transit sites in the borough and the study concludes that transit provision is planned at a county level. It is recommended that no specific target for transit sites be included in the Core Strategy.

Members Workshop

1.3.28 The findings of the GTTSSA were presented to Members at an informal session on 2nd February. There was widespread agreement amongst the attendees that the provision of Gypsy accommodation, and the proper planning of that provision, is a particular issue in the borough. There was general recognition of the need to base policy on sound evidence and that the study had been undertaken in a thorough

manner. Members attending generally agreed with the statement that the accurate measurement of need does not, of itself, represent the policy solution to meet that need. Following on from the confirmation of the target in the Core Strategy, specific allocations for traveller sites will be required in a Development Plan Document.

Conclusions

- 1.3.29 The DCA GTAA is now a number of years old and has been the subject of challenge at recent planning appeals. It is not considered to constitute a robust evidence base, as required by the draft PPS, upon which to base the Core Strategy target for Gypsy and Traveller pitches to 2026.
- 1.3.30 The GTTSAA undertaken by the University of Salford Housing and Urban Studies Unit provides an up to date assessment of local need using the best information available. It is the key piece of evidence upon which to base the Core Strategy target.
- 1.3.31 Going forward it will be for the Development Delivery Development Plan Document to allocate specific sites for Gypsies and Travellers and for Travelling Showpeople.

1.4 Alternative Action and why not Recommended

- 1.4.1 Members could decide not to set targets for Gypsy & Traveller pitches and Travelling Showpeople plots in the Core Strategy. In response, the draft planning guidance in 'Planning for Traveller Sites' sets out the clear expectation that local authorities will set their own targets based on evidence. To not set a target in this manner could result in an unplanned approach to meeting this housing requirement and 'planning by appeal'. There is a risk that the Core Strategy would be found unsound if it did not include targets to address these specific housing needs.

1.5 Impact on Corporate Objectives

- 1.5.1 Addressing the need for traveller accommodation contributes to the Strategic Plan objective of helping to make Maidstone a decent place to live.

1.6 Risk Management

- 1.6.1 There is some risk that the Government's approach set out in the draft national planning guidance 'Planning for Traveller sites' will differ when the finalised guidance is published in the National Planning Policy

Framework (NPPF). In response, the direction that local authorities are best placed to decide how to assess need for pitches and plots and to set their own targets has been a consistent theme in the Government's statements since June 2010. In addition, the Government has announced its intention to publish the NPPF before the end of March 2012. If this necessitated a review of approach, this could be done ahead of the full Core Strategy (Regulation 27 version) being brought to Cabinet in June 2012.

1.7 Other Implications

1.7.1

1.	Financial	
2.	Staffing	
3.	Legal	x
4.	Equality Impact Needs Assessment	
5.	Environmental/Sustainable Development	
6.	Community Safety	
7.	Human Rights Act	x
8.	Procurement	
9.	Asset Management	

1.7.2 Legal/Human rights: The setting of the proposed targets for Gypsy and Traveller pitches and Travelling Showpeople plots will have implications for the accommodation choices of these groups when the specified number of pitches/plots have been provided. The Council's approach will be publicly tested and open to challenge through the Core Strategy Examination which should serve to mitigate the risk of future legal, including Human Rights, challenge.

1.8 Relevant Documents

Gypsy and Traveller and Travelling Showpeople Accommodation Assessment: Maidstone (January 2012) prepared by Salford Housing & Urban Studies Unit, University of Salford

1.8.1 Appendices None

1.8.2 Background Documents None

<u>IS THIS A KEY DECISION REPORT?</u>		<u>THIS BOX MUST BE COMPLETED</u>	
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If yes, when did it first appear in the Forward Plan?January 2012.....			
This is a Key Decision because:It affects more than one ward or parish.....			
Wards/Parishes affected:All			
.....			

Agenda Item 9

Maidstone Borough Council

Local Development Document Task and Finish Scrutiny Panel

Tuesday 24 January 2012

Future Work Programme and Forward Plan of Key Decisions

Report of: Overview & Scrutiny Officer

1. Introduction

- 1.1 To consider the Panel's future work programme and the Forward Plan of Key Decisions.

2. Recommendation

- 2.1 That the Panel considers the Future Work Programme, attached at **Appendix A**, to ensure that it is appropriate and covers all issues Members currently wish to consider within the Task & Finish Scrutiny Panel's remit.
- 2.2 That the Task & Finish Scrutiny Panel considers the sections of the Forward Plan of Key Decisions, attached at **Appendix B**, relevant to the Task & Finish Scrutiny Panel and discuss whether these are items requiring further investigation or monitoring by the Task & Finish Scrutiny Panel.

3 Future Work Programme

- 3.1 Members are asked to consider the work programme at each meeting to ensure that it remains appropriate and covers all issues Members currently wish to consider within the Task & Finish Scrutiny Panel's remit.

4 Forward Plan of Key Decision

- 4.1 The Forward Plan for January – April 2012 contains one decision relevant to the Local Development Document Task and Finish Scrutiny Panel. This decision is being considered as an item on this agenda.

6. Impact on Corporate Objectives

- 6.1 The Task & Finish Scrutiny Panel was appointed to consider documents relating to the Local Development Framework, these reports relate to the following Council priority:

- For Maidstone to have a growing economy.

**Local Development Document
Task & Finish Scrutiny Panel**

Future Work Programme 2011-2012

Date	Items to be considered
31 May 2011	<ul style="list-style-type: none"> • Cancelled
21 June 2011	<ul style="list-style-type: none"> • Cancelled
19 July 2011	<ul style="list-style-type: none"> • Introduction to Local Development Document
25 July 2011	<ul style="list-style-type: none"> • POSTPONED til 3 August 2011.
3 August 2011	<ul style="list-style-type: none"> • Local Development Document to Consultation meeting
16 August 2011	<ul style="list-style-type: none"> • POSTPONED til 24 August 2011
24 August 2011	<ul style="list-style-type: none"> • Local Development Document-Methods of Consultation
20 September 2011	<ul style="list-style-type: none"> • 02.09.11-14.10.11 - 6 weeks public participation consultation – Core strategy; • To consider the Local Development Scheme 2011
18 October 2011	<ul style="list-style-type: none"> • Cancelled
15 November 2011	<ul style="list-style-type: none"> • To consider the Annual Monitoring Report 2011 • Reference from Council: Protect the open countryside petition
13 December 2011	<ul style="list-style-type: none"> • Cancelled
24 January 2012	<ul style="list-style-type: none"> • Update on Member Transport Workshop & Progress on the Integrated Transport Strategy
21 February 2012	<ul style="list-style-type: none"> • To consider targets for Gypsy & Traveller pitches for inclusion in the Core Strategy
20 March 2012	<ul style="list-style-type: none"> • Update on the Core Strategy
17 April 2012	<ul style="list-style-type: none"> • Parking Strategy

MAIDSTONE BOROUGH COUNCIL

FORWARD PLAN

20

**01 February 2012 to
31 May 2012**

**Councillor Christopher Garland
Leader of the Council**



Forward Plan February 2012 - May 2012

INTRODUCTION

This is the Forward Plan which the Leader of the Council is required to prepare. Its purpose is to give advance notice of all the “key decisions” which the Executive is likely to take over the next 4 month period. The Plan will be up-dated monthly.

Each “key decision” is the subject of a separate entry in the Plan. The entries are arranged in date order – i.e. the “key decisions” likely to be taken during the first month of the 4 month period covered by the Plan appear first.

Each entry identifies, for that “key decision” –

- the subject matter of the decision
- a brief explanation of why it will be a “key decision”
- the date on which the decision is due to be taken
- who will be consulted before the decision is taken and the method of the consultation
- how and to whom representations (about the decision) can be made
- what reports/papers are, or will be, available for public inspection
- the wards to be affected by this decision

DEFINITION OF A KEY DECISION

A key decision is an executive decision which is likely to:

- Result in the Maidstone Borough Council incurring expenditure or making savings which is equal to the value of £250,000 or more; or
- Have significant effect on communities living or working in an area comprising one or more wards in Maidstone.

WHO MAKES DECISIONS?

The Cabinet collectively makes some of the decisions at a public meeting and individual portfolio holders make decisions following consultation with every member of the Council. In addition, Officers can make key decisions and an entry for each of these will be included in the Forward Plan.

**Forward Plan
February 2012 - May 2012**

Decision Maker, Date of Decision/Month in which decision will be made and, if delayed, reason for delay:	Title of Report and Brief Summary of Decision to be made:	Consultees and Method:	Contact Officer and deadline for submission of enquiries:	Relevant Documents:
<p>Cabinet</p> <p>Due Date: 14 Mar 2012</p>	<p>Core Strategy: Targets for Gypsy & Traveller pitches and Travelling Showpeople plots</p> <p>Report to consider the targets for Gypsy and Traveller pitches and for Travelling Showpeople plots to be included in the next stage of the Core Strategy (Regulation 27 stage)</p>	<p>Gypsy and Traveller community through the Gypsy & Traveller Accommodation Assessment and with the wider community through the Core Strategy consultation process. through the Core Strategy consultation process</p>	<p>Flo Churchill flochurchill@maidstone.gov.uk</p> <p>15th February 2012</p>	<p>Cabinet, Council or Committee Report for Core Strategy: Targets for Gypsy & Traveller pitches and Travelling Showpeople plots</p>