

PLANNING COMMUNITIES EXECUTIVE ADVISORY PANEL Monday 27 March 2023

Report Title	Consultation on the Scope and Options of the North Northamptonshire Gypsy and Traveller Local Plan
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Relevant Executive Member	Councillor David Brackenbury – Executive Member for Growth and Regeneration

List of Appendices

- Appendix A – Draft Scope and Options consultation document
- Appendix B – Sustainability Appraisal Scoping Report
- Appendix C – Equality Screening Assessment

1. Purpose of Report

- 1.1. The purpose of this report is to consider the Scope and Options for the North Northamptonshire Gypsy and Traveller Local Plan and associated Sustainability Appraisal Scoping Report and Equality Screening Assessment for public consultation. This is the first stage of public consultation as the Local Plan progresses towards adoption.
- 1.2. It also presents revisions to the Local Development Scheme for endorsement ahead of full review by the Panel in the Summer and subsequent presentation to Executive and Full Council for adoption.

2. Executive Summary

- 2.1. This report introduces the first stage of public consultation for the North Northamptonshire Gypsy and Traveller Local Plan. The draft Regulation 18 consultation documents appended provide information on what are expected to be the key issues for the Plan with the purpose of gathering feedback from the public and stakeholders on the content and key options. The public consultation is scheduled for eight weeks starting as soon as practically possible.
- 2.2. The report also presents revisions to the Local Development Scheme for endorsement ahead of a full review by the Panel at a future meeting in the Summer, and subsequent presentation to Executive and Full Council for adoption.

3. Recommendation

3.1. That Members of the Planning Communities Executive Advisory Panel:

- a) Provide comment on the Scope and Options for the Gypsy and Traveller Local Plan as attached to this report at Appendix A, to be published, with or without revisions, for public consultation alongside the associated Sustainability Appraisal Scoping Report and Equality Screening Assessment attached to this report at Appendix B and Appendix C respectively.
- b) Endorse revisions to the Local Development Scheme for publication ahead of a full review by the Panel during the Summer, and subsequent presentation to Executive and Full Council.

Reason for recommendations:

- 3.2. To ensure early and meaningful engagement on the preparation of the Gypsy and Traveller Plan and associated documents is undertaken in line with relevant legislation and the adopted North Northamptonshire Statement of Community Involvement.
- 3.3. Local Plans must be prepared in accordance with the published Local Development Scheme. The current Local Development Scheme is out of date and as such the Gypsy and Traveller Local Plan would be unlikely to pass examination as its preparation would not have complied with this requirement. The Local Development Scheme is also used to keep the public and other interested parties informed on plan progress and it is incumbent upon the Council to keep the timetable up-to-date as an accurate reference should there be changes to the plan-making programme.

Alternative Options Considered:

- 3.4. The only alternative option is not to comment on the consultation documents. Not to comment on the consultation documents would be a missed opportunity to positively engage with the preparation of the North Northamptonshire Gypsy and Traveller Local Plan.

4. Report Background

- 4.1. The Council is required to identify the needs of Gypsy and Travellers in the area, and to plan to meet those needs through its Local Plan. Full Council on 31 March 2022 approved a [Local Development Scheme](#), which included provision for the preparation of a Local Plan to address the accommodation needs of gypsy and travellers across North Northamptonshire.

- 4.2. The Plan will provide planning policies and site allocations to meet the identified needs for Gypsy and Travellers¹ and ensure high standards of design, development and living conditions. Ensuring the provision of good quality and a sufficient supply of accommodation is key to addressing some of the disparities and inequalities faced by the Gypsy and Traveller community. In addition, it will strengthen the Council's ability to use effective enforcement powers.
- 4.3. The Plan will be developed through engagement with local communities and stakeholders, including representatives of Gypsy and Traveller bodies and planning agents, in accordance with the adopted [Statement of Community Involvement](#) and legislative requirements for consultation, combining what evidence is telling us about the needs of Gypsy and Travellers, what people want to see happen in their local area, and how we can best make provision for this through a clear development strategy across North Northamptonshire.
- 4.4. To ensure plans are prepared on a sound basis, local planning authorities are required to undertake consultation at the start of the process in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which specifies that, as part of the plan preparation process, representations must be invited on what the Local Plan ought to contain.

5. Issues and Choices

Scope and Options

- 5.1. In total, nine policy areas have been identified so far as requiring consideration for inclusion in the Plan and which are discussed in the consultation document:
 - Vision and Outcomes for the Plan.
 - Options to meet future requirements.
 - Site Size.
 - Geographical distribution.
 - Allocation of reserve sites
 - Assessment criteria for site allocation and determination of planning applications.
 - Transit sites and temporary stopping places.
 - Site design
 - Retention of sites.
- 5.2. The document is intentionally high-level at this first consultation stage of the plan making process. The content is focused on providing information on what are expected to be the key issues for the Plan with the purpose of gathering the views of the public and stakeholders on the content and key options.

¹ For the purposes of this document the term 'Gypsy and Travellers' does not constitute a single, homogenous group, but encompasses a range of groups with different histories, cultures and beliefs including Romany Gypsies, Irish Travellers, Scottish Gypsy Travellers and Welsh Gypsy Travellers, New Travellers, Waterway Travellers and Travelling Showmen.

Importantly, the Plan does not suggest any locations for allocation of sites or include pitch targets for Gypsy and Travellers. This is to ensure a frontloaded consultation process and because the technical work to inform decisions continues to be developed.

- 5.3. At this early stage, the scope of policy areas that need to be considered for inclusion in the Gypsy and Traveller Plan is an initial evaluation derived from existing evidence within the [North Northamptonshire Gypsy and Traveller Accommodation Assessment](#) and follows the work and consultation undertaken to prepare the North Northamptonshire Strategic Plan. The potential for future legislative reforms and changes to national planning policy and guidance may result in a need to amend the scope of the Plan. Significantly, consultation on the [Levelling Up and Regeneration Bill: reforms to national planning policy](#) and its supporting documents include proposals for the introduction of National Development Management Policies. The expectation is that in the future a standardised set of national policies will apply across the whole of England that will be used, alongside slimmed down Local Plans in the determination of planning applications. At present there is a lack of clarity on what these might address or say, but any implications that they will have will need to be fully considered as the Plan evolves. In addition, updates to the North Northamptonshire Gypsy and Traveller Accommodation Assessment and preparation of a Pitch Deliverability Assessment together with further work on the North Northamptonshire Strategic Plan may result in the scope needing to be revised or updated.
- 5.4. The Gypsy and Traveller Plan is being progressed in parallel to work on the North Northamptonshire Strategic Plan and will cover the same plan period between 2021 and 2041. In determining the scope for the Gypsy and Traveller Plan, consideration will also need to be made of workload and resource implications of progressing with work on both key policy areas at the same time, and the relationship with other ongoing work such as the consideration of an Article 4 Direction to control Housing in Multiple Occupation, supporting the preparation of Neighbourhood Plans and adopting the East Northamptonshire Part 2 Local Plan as well as projects associated with the transformation of planning services and delivery of proposals in North Northamptonshire.

Environmental Assessments

- 5.5. As required by the Strategic Environmental Assessment Directive and Government Guidance on Sustainability Appraisal as set out in the Planning and Compulsory Purchase Act and associated Regulations, the Scope and Options document is accompanied by a Sustainability Appraisal Scoping Report in Appendix B. The principal role of this Scoping Report is to set out a suggested framework against which future iterations of the Plan can be assessed to establish its likely social, economic, and environmental impacts. As required by the regulations, feedback will be sought on the Sustainability Appraisal Scoping Report as part of the Scope and Options engagement.
- 5.6. As the Plan progresses, the Sustainability Appraisal work will be extended to reference the conclusions of a separate process relating to the Habitats

Regulations Assessment which must accompany the later stages of a statutory plan.

Local Development Scheme

- 5.7. The Local Development Scheme is a statutory document required under Section 15 of the Planning and Compulsory Purchase Act 2004, as amended. Formulating the timetables within the Local Development Scheme, keeping them up-to-date, and making publicly available will ensure that the Council complies with the necessary tests in preparing a Local Plan for examination.
- 5.8. The subject matter and timetable for the preparation of the Plan is specified in the Local Development Scheme. Planning law requires the Plan to be prepared in accordance with the Local Development Scheme. The Local Development Scheme was last updated in March 2022 and a further review is now required.
- 5.9. The current Local Development Scheme describes the role and subject of the Plan as follows:

The Northamptonshire Gypsy and Traveller Sites Allocations Policy, when adopted, will form part of the statutory North Northamptonshire Development Plan. This document will explore projected need for gypsy and traveller accommodation throughout North Northamptonshire. It will seek to allocate land to provide sufficient pitch numbers to meet need identified through the Gypsy and Traveller Accommodation Assessment (GTAA) for North Northamptonshire, published in March 2019.

- 5.10. It is reiterated that at this early stage in the plan making process, the scope of the Plan is undecided, but the consultation document set out in Appendix A suggests a wider scope and content than prescribed in the current Local Development Scheme. Therefore, it is recommended that the role and subject of the Plan is amended, as follows:

The North Northamptonshire Gypsy and Traveller Local Plan, when adopted, will form part of the statutory North Northamptonshire Development Plan. This document will set planning policies and site allocations to meet the identified needs for Gypsy and Travellers and ensure high standards of design, development and living conditions.

- 5.11. It is also recommended that the title of the Plan should be renamed to the more simple 'North Northamptonshire Gypsy and Traveller Local Plan'.
- 5.12. The current Local Development Scheme aims for early stakeholder and community engagement in June 2022, followed by consultation on the Draft Plan in April 2023. It therefore needs to be updated to reflect current consultation arrangements and the planning policy work programme reported to this Panel in January 2023, as follows:

- Early stakeholder and community engagement – April 2023
- Draft Plan for consultation – September/October 2023

- Publication consultation – January/February 2024
- Submission to the Secretary of State – April 2024
- Examination – July 2024
- Adoption – February 2025

5.13. The timetable will need to be kept under review going forward and may subsequently be revised further in light of the forthcoming consultation stage and full review of the Local Development Scheme by the Panel in the Summer.

6. Next Steps

- 6.1. Subject to feedback at the Panel, officers will finalise the Scope and Options for the Plan and prepare consultation materials ready for the public consultation to begin. Any updating, drafting of amendments and the graphic design of the Scope and Options for the Gypsy and Traveller Plan and associated documents prior to publication and consultation on the documents will be undertaken with the agreement of the Executive Member for Growth and Regeneration, in consultation with the Executive Director of Place and Economy. This will include effecting any changes required by this Panel.
- 6.2. Public consultation on the Regulation 18 Scope and Options and associated documents will take place over eight weeks as soon as practically possible. This is longer than the 'usual' six-week period for such consultations, to reflect the fact that the period spans the Easter holidays and other bank holidays.
- 6.3. During the consultation period, evidence underpinning the Plan will continue to be developed. Specifically, consultants are expected to provide the Gypsy and Traveller Accommodation Assessment Update by the end of April 2023 and the Pitch Deliverability Assessment and Design Standards by September 2023.
- 6.4. Following the close of consultation, the analysis of comments made and the officers' response to these will be reported to the Panel for its consideration. The results of the consultation and outcomes of the evidence gathering will inform work on the next stage of the Gypsy and Traveller Local Plan and associated Sustainability Appraisal, currently scheduled for September 2023.
- 6.5. The Council's constitution requires that the Local Development Scheme be adopted by Full Council. The current Local Development Scheme approved in March 2022 requires multiple amendments to reflect changes in circumstances that affected progress of this Plan and the Strategic Plan. A full review will be conducted by this Panel in Summer 2023, prior to presentation to Executive and Full Council. This report only relates to the Gypsy and Traveller Local Plan. As such, subject to Panel endorsement, it is proposed that revisions to the Local Development Scheme are published within the Scope and Options consultation document and uploaded to the Councils website to enable the public and interested parties to keep track of development plan document progress, prior to a full review by the Panel in the Summer 2023 and subsequent presentation to Executive and Full Council.

7. Implications (including financial implications)

7.1. Resources, Financial and Transformation

- 7.1.1. The current stage of plan making and evidence gathering will be resourced by the existing Planning Policy budget. A review of further resources will be undertaken as part of the Local Development Scheme and budget setting process to assess the appropriate level to support future requirements. The preparation of the Gypsy and Traveller Local Plan and accompanying documents will be demanding of staff and resources and need to be balanced with other policy priorities identified in this report, in terms of procurement of consultants, evidence base preparation and consultation, at a time of budget pressures and significant and competing work demands. It will require careful resource management and collaborative working with other services within the Council, such as Environmental Health, Flood and Water Management, Highways, etc.

7.2. Legal and Governance

- 7.2.1. The Gypsy and Traveller Local Plan is a Development Plan Document and as such, when formally adopted, will form part of the statutory Development Plan for North Northamptonshire.
- 7.2.2. The Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements and the statutory procedure for the preparation of Plans.
- 7.2.3. Regulation 18 of the 2012 Regulations requires the local planning authority to notify and invite representations on the content of the draft plan to: (i) such specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed plan; (ii) such general consultation bodies as the local planning authority consider appropriate; and (iii) such residents or other persons carrying on business in the local planning authority's area as the local planning authority consider appropriate. The subsequent stages are formal consultation on the Draft Plan; submission and examination; the Inspectors Report; and adoption.
- 7.2.4. This Panel is currently providing the governance necessary for the project. All representations received during this consultation stage will be reported to this Panel for consideration.

7.3. Relevant Policies and Plans

- 7.3.1. Improving the standard of new and existing homes and ensuring housing supply meets demand is a priority for North Northamptonshire Council, as set out in the Corporate Plan. This includes accommodation for the Gypsy and Traveller community. Policy 31 of the North Northamptonshire Joint Core Strategy requires local planning authorities to protect existing lawful sites and ensure sufficient sites for gypsy and travellers in line with a robust evidence base. Where necessary part 2 local plans are expected to allocate further sites to accommodate identified needs.

7.4. Risk

7.4.1. A delay to the preparation of the Gypsy and Traveller Local Plan being produced could lead to more regular planning appeals and unauthorised encampments with potential significant disruption with communities, poor living conditions for gypsies and travellers, and costs for the Council. Whilst the Council will seek to ensure that the Gypsy and Traveller Local Plan is progressed in accordance with the latest timetable and minimise risks of delay, it should be noted the following external factors are beyond the Council's control and may have an impact:

- Legislative reforms and changes to national planning policy and guidance. The Government published the Levelling Up and Regeneration Bill: reforms to national planning policy, including proposals for a new system of plan-making and the creation of National Development Management Policies on 22 December 2022. These proposals are at the consultation stage, and it is not certain of the outcome or when any changes may take effect. At present however, the Government states that it is critical that the preparation of local plans should continue before the new system is in place and consulted on transitional arrangements that allow plan makers until 30 June 2025 to submit plans under the existing legislative framework.
- Failure of consultants to deliver evidence on time. As referenced above, the Pitch Deliverability and Design Standards will provide the requisite evidence to underpin the Plan and ensure that the land allocations are soundly based and deliverable. The outcomes of the evidence will affect the overall strategy adopted by the Plan. The timetable to prepare evidence and digest the information is very tight and progress in line with the adopted Local Development Scheme will be dependent upon consultants meeting required deadlines.
- Unanticipated scale and nature of consultation responses received including new evidence submitted unexpectedly which will require further time to review and analyse.

7.4.2 There are ways to mitigate these risks – continuing to monitor any changes in legislation or national planning policy as part of the plan making progress, keeping the scope and timetable of the Plan under review, exploring technological and innovative ways of delivering the service and managing consultation responses as part of the transformation of the planning service, and robust project management and reporting arrangements to ensure that any risks are identified and considered in a timely manner.

7.4.3 If the Council does not revise the Local Development Scheme, there is a risk that the Council will contravene the legal requirements to prepare, maintain and publish a Local Development Scheme for the Gypsy and Traveller Local Plan it proposes to prepare. This would put the Plan at risk of being found legally non-compliant when submitted for examination in due course. Although there is a move away from the original timetable, it is deemed that this approach is a pragmatic and reasonable one to seek to deal with this aspect of the Local Development Scheme so as to ensure that the Plan progresses.

7.5. Consultation

7.5.1. In the event, public consultation is approved for the Regulation 18 Scope and Options document, this will be organised as soon as practically possible. An extended consultation period of eight weeks is considered appropriate to ensure the Easter holiday period and other bank holidays do not disadvantage those wishing to comment on the document in accordance with the adopted Statement of Community Involvement. As part of the consultation the following arrangements will be put in place:

- Early notification of the consultation period to the Parish and Town Councils following Panel approval.
- Emails will be sent to all elected Members prior to the start of the consultation.
- All contacts on the planning policy consultation database will be informed of the consultation and invited to respond. This will include Gypsy and Traveller representative organisations.
- Local newspapers will be used to cover and advertise the consultation.
- Online publication of all consultation documents on the Councils website via the Consultation and Engagement hub.
- Social media will be used.
- Discussion with relevant authorities on cross boundary strategic planning matters.
- Hard copies of relevant consultation materials will be made available at Council offices and libraries.
- Planning officers will be available during office hours to respond to any phone or email queries relating to the consultation.

7.6. Consideration by Scrutiny

7.6.1. There is no identified need for wider consideration by scrutiny although should members of the scrutiny commission request it to go into the work programme, they can do so, and officers will assist.

7.7. Equality Implications

7.7.1 An Equality Screening Assessment has been carried out in consultation with the Council's Equalities Officer and can be found in Appendix C. The Equality Screening Assessment concludes that there is scope within the Plan to promote equality of opportunity and positively impact on all section of the community in North Northamptonshire, including those who share a protected characteristic. The most significant impacts are, however, likely to be felt by Gypsy and Travellers and by members of settled communities living near existing or future sites. This is because the Plan is about development of accommodation specifically for Gypsy and Travellers.

7.8. Climate Impact

7.8.1. The Gypsy and Traveller Local Plan will provide opportunity to respond to the Council's Climate and Environment Emergency declared in July 2021. The

Sustainability Appraisal, prepared in parallel with each stage of the Plan, will assess the impact of the Gypsy and Traveller Local Plan on climate change and its ability to minimise the contribution to climate change through appropriate mitigation, and to support adaption measures to build resilience against the impacts of climate change in North Northamptonshire.

7.9. Community Impact

- 7.9.1. The provision of planning policies and site allocations to meet the identified needs for Gypsy and Travellers and ensure high standards of design, development and living conditions will help to facilitate fair and equal treatment for Gypsy and Travellers with subsequent benefits including promoting better access to health and education and better integration and coexistence of the Gypsy and Traveller community with the settled community and assist in reducing unauthorised encampments.

7.10. Crime and Disorder Impact

- 7.10.1. The Sustainability Appraisal, prepared in parallel with each stage of the Plan, will assess the impact of the Gypsy and Traveller Local Plan on communities and its ability to support the creation of safer communities in which levels of crime, anti-social behaviour, the fear of crime and crime disparities across North Northamptonshire are reduced.

8. Background Papers

- 8.1. [North Northamptonshire Local Development Scheme](#)
- 8.2. [North Northamptonshire Statement of Community Involvement](#)
- 8.3. [North Northamptonshire Gypsy and Traveller Accommodation Assessment](#)
- 8.4. [Full Council, Wednesday 28 July 2021](#)
- 8.5. [North Northamptonshire Strategic Plan Scope and Issues Consultation](#)
- 8.6. [Summary of Scope and Issues Consultation Responses and Officer Responses](#)