

20th November, 2003

All Members of Environment Scrutiny Committee
Oxfordshire County Council
County Hall
New Road
Oxford, OX1 1ND

Dear Sir/Madam,

Review of the Overall Provision of Traveller Services within Oxfordshire

As part of our detailed analysis over the proposed plans for an Emergency Stopping Site for Gypsy's & Travellers on Land adjacent to the Highways Depot, Deddington, we came across a number of issues which we believe to be of relevance to your overall strategic review of the provision of traveller services within Oxfordshire. These issues are outlined in more detail below:

Key Supporting Documents referred too below:

- Circular 1/94 – Gypsy Sites and Planning. ODPM. The definitive guidance on gypsy sites and planning (issued nine years ago) from Central Government.
- Local Authority Gypsy/Traveller Sites in England, University of Birmingham. ODPM. A comprehensive 265 page research document from the University of Birmingham just published and commissioned by ODPM to guide new policy. A review of policy could be launched as early as the next session of Parliament.
- Policy H26 Cherwell Local Plan 2011. Revised draft.
- Oxfordshire Structure Plan – Deposit Draft September 2003.
- Review of Traveller Services – OCC Executive Papers 12th November 2002.

The Whole Concept of Emergency Stopping Sites Within Oxfordshire is Fatally Flawed.

1. We believe that it will prove impossible to evict gypsies from such sites after the initial 28 day interval. There are currently no other transit/emergency stopping sites in Oxfordshire. The closest transit/emergency stopping site is Aylesbury (7 pitches), and there are currently only 58 other such sites within a 100 mile radius of central Oxfordshire. National provision of these sites is actually declining (Local Authority Gypsy/Traveller Sites in England, University of Birmingham, ODPM). This raises the obvious question of where are gypsy families supposed to move to after one month of staying on an emergency stopping places site?

2. OCC state several times that the rationale for the provision of such sites is to hand increased powers of eviction to the Police for other un-authorised encampments. Given that there are a significant number of other un-authorised encampments in Oxfordshire, and no other easily accessible emergency stopping places, any gypsy family threatened with eviction from either an un-authorised site, or from staying in excess of 28 days at an emergency stopping places site, could easily use the defence that no other accommodation option is available. Consequently we believe from a legal perspective that it would be doubtful therefore that eviction could proceed.
3. There is no rationale setting out how such sites could be controlled to limit their use for a maximum of just 28 days. In this regard document (Local Authority Gypsy/Traveller Sites in England, University of Birmingham, ODPM) makes a very strong recommendation that transit and emergency stopping sites will only be found to be successful as part of an agreed regional/national network. We understand from the Travellers Liaison Officer that OCC has not yet consulted neighbouring councils in order to try to establish such a regional strategy. In any event, such a regional strategy is likely to require the support of Central Government to be effective. We believe that the Government is considering its position on this issue following the publication of the research document 'Local Authority Gypsy/Traveller Sites in England, University of Birmingham. ODPM'. Consequently it may be premature for Oxfordshire County Council to undertake such an initiative at this point in time.

Inadequate Management Plans.

4. The national consensus of local authorities that operate transit/emergency stopping sites is that they have to be managed closely, with controlled access and strict rules (Local Authority Gypsy/Traveller Sites in England, University of Birmingham, ODPM). This research shows that in general emergency stopping site management is more expensive than permanent sites - staffing, fee collection, rubbish removal, reseeding etc. Failure to undertake this work results in the same problems as current unauthorised sites. Who is going to pay for the ongoing running of such sites, given that the Government's grant is a one-off payment?
5. The same research shows that badly maintained transit and emergency stopping sites attract the worst members of the traveling community and that rents from sites never cover operating costs. Given these issues we believe that the proposed management and control plan presented by OCC for these sites is completely inadequate. We do not believe that a unit of two people (Traveller Liaison Officer + one Police Inspector) will be able to administer a number of these sites, collect rents, monitor length of stay etc, when set against their other duties across the whole County.
6. We note that the Government Grant application requires 'controlled access' to such sites. Again, given manpower resources, we do not see how this can be effectively achieved.
7. Review of Traveller Services paper presented to OCC in November 2002 recommended a minimum Traveller unit staffing of three. Given the issues noted in this paper, we feel that the current staffing ratio should be reviewed and increased to cope with the demands of running a network of transit/stopping places properly and within planning guidelines.

Inadequate Local Planning Consultation.

8. 'Local plans should wherever possible identify the locations suitable for gypsy sites' (Circular 1/94 – Gypsy Sites & Planning ODPM). Despite a comprehensive review of possible locations being carried out by OCC as long ago as 1998, its findings have not been made public, and are not included within the structure plan. This has prevented the choice of sites being debated through the full public planning process, including public hearings.
9. The Review of Traveller Services paper presented to OCC in November 2002 states that the 'support of District & local councils will be important' in the development of temporary stopping places. It does not appear that such support has been sought for the proposed strategy.
10. Deddington Parish Council felt strongly that the recent plans for an Emergency Stopping Site for Gypsy's & Travellers on Land adjacent to the Highways Depot, Deddington, were of a rushed nature, and that the local councils and residents were being given only a minimum amount of time to review these plans. This

necessitated the 'rushed' calling of a parish meeting at which around twenty per cent of the population attended. Overall it was felt that the Government grant schedule for such sites was driving the planning timetable, rather than the concerns of local residents. Such sites are always by their nature going to be controversial, however adequate consultation is surely vital in winning over such objections, and also in avoiding the in-appropriate locating of such facilities.

Traveller Site Policy does not appear to be in Full Conformity to the Local & County Structure Plans.

11. In general we do not believe that the transit site planning consultants for Oxfordshire County Council have adequately reviewed the proposed sites to determine their conformity with the character and nature of their immediate locality. Some suggested site locations appear to conflict the overall policy of developing greenfield sites within the Cherwell area (Policy H26 Cherwell Local Plan 2011, Revised Draft, & Oxfordshire Structure Plan, Deposit Draft).
12. Several of the proposed sites would, in our opinion, be classified as a 'sensitive location' and not suitable for un-authorized encampments under the Review of Traveller Services paper presented to OCC in November 2002. This states that un-authorized camp locations should not be near schools, well-used footpaths, and houses and businesses. If un-authorized camps should not be in these locations, why should authorized camps be allowed?
13. 'as a rule it will not be appropriate to make provision for gypsy sites in areas of open land where development is severely restricted' (Circular 1/94 – Gypsy Sites & Planning ODPM). This planning issue does not appear to have been adequately reviewed by the transit site planning consultants for Oxfordshire County Council.
14. Emergency stopping places are for a maximum 28 day stopping period - and it is therefore not appropriate to permanently locate any existing group to such a site. The Travellers Liaison Officer advised both local constituents and the Banbury Guardian that the sole purpose of the proposed Deddington site was to permanently re-house the North Aston un-authorized site families. This action would simply result in an unofficial permanent site providing inadequate facilities (compared to neighbouring permanent sites). If OCC want to create additional permanent sites this should be reflected in the overall strategic plan. The proposed facilities for emergency stopping places are completely inadequate for a permanent site (as set out in Circular 1/94 – Gypsy Sites & Planning ODPM).
15. The provision of sites should 'not cause harm to residential amenity' (Policy H26 Cherwell Local Plan 2011, Revised Draft). This issue does not appear to have been addressed adequately in the review of potential locations undertaken by the transit site planning consultants for Oxfordshire County Council.

Inadequate Data on the Need for New Sites.

16. Gypsy sites will only be permitted if 'there is a demonstrable need that cannot be met on an existing site or in a more appropriate alternative site in the locality' (Policy H26 Cherwell Local Plan 2011, Revised Draft). We were surprised to learn that there has been no approach to local privately run gypsy sites within Oxfordshire, to ascertain the possibility of attaching emergency stopping sites to these facilities.
17. Similarly, there appears to have been no investigations carried out on the possibility of siting such facilities at existing Council run permanent sites, by providing extensions. Nationally, just over one third of transit/emergency stopping pitches are located on existing mixed permanent residential sites (Local Authority Gypsy/Traveller Sites in England, University of Birmingham, ODPM).
18. In the past we understand that privately run sites (e.g. Smiths in Cherwell) have had expansion plans that have been refused (and/or discouraged from applying for) planning permission. The reasons given have included 'no demonstrable gypsy needs'.
19. 'Temporary stopping places might also be small, except on routes frequented by those gypsy group's which travel in large numbers' (Circular 1/94 – Gypsy Sites & Planning ODPM). No data has been provided by OCC on the average size of a gypsy group traveling through the county on particular 'transit' routes. Rather the data available is general and non-specific, and lacks long term trend analysis. In particular data has not been gathered to determine the specific travel patterns of gypsies/travelers passing through Oxfordshire. Such data is necessary in order to determine the number and location of emergency stopping place/transit sites.

We trust that you will review in detail the above points and issues raised by Deddington Parish Council, as part of your overall review of County policy towards traveller sites. We believe that a timely and fully detailed local planning consultation with District Councils, Parish Councils, and local residents will be the most important issue going forward to achieve an agreed and adequate provision of traveller services within Oxfordshire.

Yours Sincerely

Graham Pitts
Clerk to the Council,

cc. Cllr Ray Jelf, Oxfordshire County Council
Mr Richard Shaw, Chief Executive Oxfordshire County Council
Mr John Parry, Community Safety Officer, Oxfordshire County Council
Ms Sally Willan, Traveller Liaison Officer, Oxfordshire County Council