

# **Sustainability Appraisal Scoping Report for Gypsies, Travellers and Travelling Showpeople**

Report of the Planning Portfolio Holder

## **Recommended:**

- 1. That the Sustainability Appraisal Scoping Report for Gypsy, Travellers and Travelling Showpeople including its Appendices (annex 1) be approved.**
- 2. That the Head of Planning Policy be authorised to make changes of a minor nature to improve the presentation of the document, update those elements of the scoping report as identified in annex 2 and correct typographical errors prior to publication in consultation with the Planning Portfolio Holder.**

## **SUMMARY:**

- A Scoping Report has been prepared in line with national guidance to fulfil the first stage of the Sustainability Appraisal process.
- The Scoping Report has been prepared to cover Gypsies and Travellers and Travelling Showpeople in future DPDs.
- The Scoping Report has been subject to consultation for a period of five weeks and the responses have been taken into account in the preparation of the document presented.

## **1 Introduction**

- 1.1** The Scoping Report represents the first stage in the Sustainability Appraisal process. The Council has a responsibility to plan for the housing needs of all residents, including the Gypsy, Traveller and Travelling Showpeople community. The last Scoping Report was prepared in 2016 and needs updating given the change in data and evidence. The Scoping Report does not allocate sites, consider the merits of possible sites or deal with the scale of need.
- 1.2** The draft Scoping Report was subject to a statutory 5 week consultation period. In accordance with the Environmental Assessment of Plans and Programmes (SEA) Regulations (2004), the Council consulted statutory consultation bodies (Environment Agency, Historic England and Natural England) as well as notifying other consultees.

## **2 Background**

- 2.1** There is a statutory requirement under the Planning and Compulsory Purchase Act 2004, as amended by the Planning Act 2008 that an appraisal of the sustainability of Development Plan Documents (DPDs) is carried out.

This process is designed to ensure that plans and policies contribute to the overall objective of achieving sustainable development. Furthermore, there are requirements through the Environmental Assessment of Plans and Programmes Regulations 2004 to undertake an assessment of plans and programmes that are likely to have a significant effect. The Sustainability Appraisal process is designed to cover the requirements of both pieces of legislation.

- 2.2 The main output of the Scoping Report is the Sustainability Appraisal Framework. This is utilised in undertaking the appraisal of DPDs where appropriate. The Sustainability Appraisal Framework includes a number of local sustainability objectives and indicative tests to support the appraisal process.

### **3 Corporate Objectives and Priorities**

- 3.1 The Scoping Report will help to ensure that future development in the Borough will meet key sustainability objectives including environmental, social and economic factors.
- 3.2 The Scoping Report supports the 'Live' aspect of the Corporate Plan in that the Scoping Report, Sustainability Appraisal and future DPD will explore practical ways in which it could help to deliver more homes for the traveller community of the Borough.

### **4 Consultations/Communications**

- 4.1 The draft Scoping Report was subject to a period of consultation from 12 October to 16 November for a five week period. The Council received seven representations which are summarised in Annex 2 along with the proposed officer responses.
- 4.2 In response to the representations received, a number of minor amendments have been made which are set out in the Scoping Report attached as annex 1 to this paper. Arising from the representation from Natural England it is necessary to seek confirmation from external bodies of the existing status of a number of additional strategies. This work is underway and will be incorporated in the final version as approved under recommendation 2 of this report.

### **5 Options**

- 5.1 In relation to the production of a Scoping Report, the following options were considered:
- (a) Produce an updated Scoping Report for Gypsies, Travellers and Travelling Showpeople within the Borough
  - (b) Rely on the current Gypsy and Traveller Scoping Report (2016)
  - (c) Rely on Sustainability Appraisal Scoping Report (2017) produced for the forthcoming Local Plan
- 5.2 It was not appropriate to consider an option of not producing a Scoping Report as there is a legal requirement to undertake this process.

## **6 Option Appraisal**

*Option A: Produce an updated topic based Scoping Reports focusing upon Gypsies, Travellers and Travelling Showpeople within the Borough*

- 6.1 The advantage of this option is that a topic based Scoping Report could be specifically tailored to the purpose and nature of future DPDs for Gypsies, Travellers and Travelling Showpeople. It would enable a specific and detailed baseline to be established utilising various data sources including any Gypsy and Traveller Accommodation Assessment
- 6.2 Having a detailed baseline on socio-economic data will allow for a robust and sound DPD. Therefore it is this option that is recommended.

*Option B: Rely on the current Gypsy and Traveller Scoping Report (2016)*

- 6.3 Since the approval of the 2016 scoping report there have been a number of changes to the data and the evidence. To rely on this outdated scoping report would not provide a sound basis for completing the necessary sustainability appraisal.

*Option C: Rely on Local Plan Scoping Report*

- 6.4 The current Local Plan Scoping Report does not cover the specific baseline data pertinent to the traveller community. In the absence of this information the later stages of a sustainability appraisal process could not be completed to a satisfactory standard and leaves the Council at risk of challenge. This option is not recommended.

## **7 Risk Management**

- 7.1 An evaluation of the risks associated with the matters in this report indicate that further risk assessment is not needed because the issues covered do not represent significant risks and have previously been considered by Councillors (at Cabinet on the 13 January 2016).

## **8 Resource Implications**

- 8.1 The work in producing the Scoping Report and taking it through the various stages of the process has been undertaken in-house using existing resources.

## **9 Legal Implications**

- 9.1 There is a statutory requirement to undertake Sustainability Appraisals (which include a scoping stage) of DPDs.
- 9.2 A Scoping Report which has undergone the statutory processes will help to ensure a `sound` plan at the later stages of preparation.

## **10 Equality Issues**

- 10.1 An EQIA is not needed because the issues covered have previously been considered by Councillors (at Cabinet on the 15 June 2011 and 13 January 2016).

## 11 Other Issues

- 11.1 Community Safety – n/a
- 11.2 Environmental Health Issues - - The Sustainability Appraisal process is designed to support the production of planning policy documents that promote sustainable development. This includes consideration of the risks and implications of an impact on environmental health (i.e. air quality).
- 11.3 Sustainability and Addressing a Changing Climate - As noted above, the Sustainability Appraisal process is designed to support the production of planning policy documents that promote sustainable development. This includes consideration of the risks and implications of a changing climate.
- 11.4 Property Issues – n/a
- 11.5 Wards/Communities Affected - all Wards and Communities.

## 12 Conclusion and reasons for recommendation

- 12.1 The Council is proposing to adopt the Sustainability Appraisal Scoping Report for future DPDs for Gypsies, Travellers and Travelling Showpeople. Having a robust and up-to-date Scoping Report will better inform the Sustainability Appraisal and future DPDs.

Background Papers (Local Government Act 1972 Section 100D)

National Planning Practice Guide, Sustainability Appraisal Process

Planning Policy for Traveller Sites

Gypsy & Traveller Accommodation Assessment

### Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	2	File Ref:	Pp1.4
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(Portfolio: Planning) Councillor Nick Adams-King

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Report to:	Cabinet	Date:	5 December 2018
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