March 2010

The London Plan
Spatial Development Strategy for Greater London

Minor alteration to the consultation draft replacement London Plan

Draft Policy 3.9 Gypsies and Travellers (including travelling show people)

MAYOR OF LONDON

Greater London Authority
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How to give your views

This minor alteration to the consultation draft Replacement London Plan is open for public comment from 23rd March to 11th May 2010.

You can also view this document online and download it from
www.london.gov.uk/shaping-london/london-plan

Please respond in writing, referencing your comments to the relevant paragraph or table in Annex 1 of the document:

- by email to mayor@london.gov.uk with 'Replacement London Plan (minor alteration)' in the title. If you send in a response by email it is not necessary to also send us a hard copy.

- by post (no stamp required) to:

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All responses (emails and letters) must be received by
5:00 pm on Tuesday 11th May 2010.

Please note that all responses will be made available for public inspection.

1 Explanatory note to the Minor Alteration

The consultation draft replacement London Plan

The London Plan is the overall strategic plan for the capital. It sets out an integrated economic, social environmental and transport framework for the development of London over the next 20-25 years. London borough's own local plans (local development documents) must be in conformity with it, and its policies guide decisions made on planning applications by councils and the Mayor.

The Mayor published his new version of the London Plan – the consultation draft Replacement London Plan – on 12 October 2009 for a three month period of public consultation ending on 12 January 2010.

You can view and download the consultation draft Replacement London Plan from http://www.london.gov.uk/shaping-london/ .

It should be noted that the present proposed Minor Alteration is a Minor Alteration to the 2009 Draft Replacement London Plan following the same process as that for waste arisings: (http://legacy.london.gov.uk/mayor/planning/docs/minor-alt-dec09.pdf), and not to the published 2008 Consolidated London Plan.

The context for this Minor Alteration

1 This Alteration proposes changes to Policy 3.9 in Draft Replacement London Plan (DRLP) dealing with gypsies and travellers including travelling show people. In preparing this policy the Mayor followed the process set out by government to meet its specific requirement that he *"identify the number of pitches required (but not their location) for each local planning authority in light of the GTAAs and a strategic view of needs across London*[1]*"* as well as seeking to address its broader requirements and advice[2] in the unique circumstances of London. At the centre of this is a Gypsy and Traveller Accommodation Needs Assessment (GTANA). The results of this process[3] were a key input to Policy 3.9 on meeting the needs of gypsies and travellers, and in particular pitch provision table 3.4, which anticipated a further 538 pitches between

[1] ODPM Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites. TSO, 2006

[2] DCLG. Circular 04/2007 Planning for Travelling Showpeople. TSO, 2007
DCLG. Gypsy and Traveller Accommodation Needs Assessments. CLG, 2007
Fordham research. London Boroughs' Gypsy and Traveller Accommodation Needs Assessment. GLA, 2008
DCLG. Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies. DCLG, 2007

[3] Mayor of London. Towards provision targets for Gypsy and Traveller, Travelling Showpeople and transit pitches in the Draft Replacement London Plan. GLA, 2010 (i)

2007 and 2017 together with 40 more transit pitches and 73 additional plots for travelling show people.

2 Comments on the draft policy and earlier informal consultation show that opinion is strongly polarised between, on the one hand, government and the gypsy and traveller community which seek a higher target (usually 807 pitches) and boroughs and residents which consider a lower figure more appropriate. Much of the difference between the two groups arises from the relative weight considered appropriate in meeting the needs of those living in 'bricks and mortar' accommodation, and in particular the way that the concept of 'proven psychological aversion' was addressed by the GTANA. It was intended that the 538 pitch target proposed in the Draft Replacement London Plan (DRLP) might reconcile these views as well as taking some account of the distinct circumstances of London (DRLP paras 3.48 – 3.49). However, responses to the consultation process showed that this is not the case.

3 On the demand/need side, substantially more individual responses on gypsy and traveller provision were received through the DRLP consultation than on any other issue: 280 of the 960 total individual responses received were from members of the gypsy and traveller community, mainly in standardised form and largely seeking a higher target. On the supply/provision side, a smaller but still significant number of comments, largely forming part of wider submissions, were made by boroughs and other agencies expressing concern at having to accommodate the levels of provision indicated in the Plan, and over the methodology used in the GTANA[4] (see below). In addition, the Mayor has received more specific expressions of concern from Boroughs and others – a factor which government requires the Mayor to address in order to produce 'sustainable', implementable targets[5]. To take account of these in the context of proper planning process the Mayor therefore proposes to change policy by way of a minor Alteration to the DRLP. Consultation responses will be sought on this Minor Amendment to the DRLP and the Panel conducting the Examination in Public (EIP) into the draft Plan will be asked to consider these matters as part of their examination of the emerging Plan.

4 This polarisation of views raises significant tensions with the Mayor's approach to ensuring equal life chances for all (DRLP Policy 3.1) which seeks to promote measures which bring Londoners together rather than dividing them. It also seriously compromises the Mayor's ability to address government's concern *"to achieve a sustainable outcome which balances the needs of all communities within general planning principles. The RSS proposals must also be capable of implementation, which means they must be politically acceptable[6]"*. In addition, it has raised questions as to the alignment of the GTANA with government's written guidance.

5 This concern has caused him to reconsider his proposed policy in the terms of the five principles which he is required to take into account in coming to a strategic view of need across the region. These principles are: sustainability; equity and choice; social inclusion; environmental protection and the need for flexibility of provision.

- **Sustainability**: in section 4.3 of its guidance on the preparation of RSS government notes that site provision must be sustainable in economic, social

[4] Fordham 2008 op cit
[5] DCLG Preparing Regional Spatial Strategies 2007 op cit 4.3
[6] DCLG Preparing Regional Spatial Strategies 2007 op cit 4.3

and environmental terms. To be sustainable in this sense, the targets must be owned by the boroughs and other agencies which have to deliver them as well as taking into account need. Their comments indicate that many find such commitment problematic, bringing into serious question the sustainability of the DRLP's current targets.

The GTANA does not appear to have addressed substantively the 'economic' dimension to sustainability. As the Assessment implies that much of London's provision will require public intervention in the pressurised London land market and use of scarce public resources[7], this is a significant issue for overall affordable housing policy set out in the London Plan and the London Housing Strategy.

- **Equity and choice**: government states that *"most requirements appear to be generated by existing provision"* and that *"the strategic pitch allocation process provides an opportunity to achieve a wider spread"*. While the DRLP sought to address this issue, comments on it suggest it did not do so sufficiently, and that a geographically more equitable distribution is also required, while still recognising local needs.

  Given government's emphasis on 'sustainable outcomes' (see above), this principle raises a wider equity issue: the need to approach the relationship between identified need and provision targets in the same way as those for affordable housing for Londoners as a whole, ie in line with PPS3[8], taking realistic account of the range of factors, including allocation of constrained public resources, which bear on provision. Given that the DRLP identifies an overarching need for 18,200 affordable homes but application of the PPS3 approach reduces this to a target of 13,200, in equity this could mean accommodating 72.5% of identified pitch need.

  Similarly (and as the DRLP already notes), in equity and to secure sustainabale outcomes, account should also be taken of the low housing densities likely to occur as a result of planning intervention to secure gypsy and traveller sites (approximating to c50 dwellings per hectare - dph) when housing provision to meet the acute needs of Londoners as a whole is currently 129 dph[9], and especially when 69% of identified gypsy and traveller need came from those already living in 'bricks and mortar' accommodation.

- **Social exclusion**: by placing so much weight on making provision for those it characterises as having 'proven psychological aversion' to living in bricks and mortar, use of the GTANA tends to reinforce social exclusion rather than the more inclusive social outcomes which the Mayor proposes in seeking equal life chances for all (DRLP Policy 3.1). The robustness of the evidence to identify such 'aversion' has been questioned, and it is not clear whether it is identified to the standard or rigour that case law on the issue suggests might be applied.

- **Environmental protection**: The Mayor would agree with guidance that some environments are unsuitable for residential occupation whether by gypsies and

[7] Mayor of London. The London Housing Strategy. GLA, 2010 (ii)
[8] CLG Planning Policy Statement 3 (PPS3) Housing, CLG 2006, para 29
[9] Mayor of London. London Plan Annual Monitoring Report 6. GLA, 2010 (iii)

travellers or anyone else. He would go further than government's 'presumption' against making provision in areas susceptible to flood risk or in those which have positive environmental protection – gypsies and travellers should have the same benefits (and responsibilities) devolving from relevant London Plan policies as do Londoners as a whole. This includes polices which relate to the use of open space, Metropolitan Open Land and Green Belt.

In London's uniquely pressurised land market, this principle should also apply to other relevant land use policies. For example, London is estimated to have sufficient industrial land to justify release of 40 ha pa but has actually been losing capacity at more than double that rate. DRLP Policies 2.17 and 4.4 provide a geographical framework to support efficient management of this diminishing stock. Further releases from it, including that for pitch provision, must take place in this policy context.

The SHLAA[10] has shown that London can meet its housing needs on the assumption that many sites will be developed at the mid point in the appropriate density range. Except in locations remote from public transport/town centres (Public Transport Accessibility Level score 0 – 1: ie inappropriate locations for gypsy and traveller provision in terms of government guidance to provide access to facilities), 50 dwellings per hectare (dph) is for the most part below or well below the mid point of appropriate density ranges, raising tensions with government's equity principle (see above) and broader objectives to make the best use of London's limited land resources and to respect local context.

- **Flexibility**: the experiences of some boroughs in managing existing concentrations of provision highlight the need for a sensitive plan, monitor and manage approach to meeting the requirements of an ill defined (see below) group which is already housed but has 'proven psychological aversion' to living in bricks and mortar accommodation. In the highly pressurised London land market it is more robust and equitable to predicate policy which entails disbursement of scarce public housing resources and scarce land on meeting needs which can be identified more clearly ie those generated by households living in caravans on sites. This must be backed by an authoritative monitoring system to assess other needs and a commitment to review the policy responsively.

6 Government's regional guidance[11] also poses a series of questions as guides to developing pitch targets. While in overall terms these are of more direct relevance to local planning authorities rather than a regional planning body, they did inform the informal consultation process, not least in helping to illustrate the quantum of land required and the way this related to overall housing capacity and densities. The questions also helped illuminate the sub-regional dimension to provision (especially in light of the initial, informal expression of travelling show peoples' preferences); dispersal of provision from areas of existing concentration; the opportunities and constraints factors which the GLA initially sought to reflect in the targets; and tenure preferences (which in London underscore the importance of public provision).

[10] Mayor of London. The London Strategic Housing Land Availability Assessment and Housing Capacity Study 2009. GLA, 2009

[11] DCLG Preparing Regional Spatial Strategies 2007 op cit 4.3

Government Guidance and The Gypsy and Travellers Accommodation Needs Assessment

7 The GTANA was commissioned by the GLA with and on behalf of the boroughs, steered by a stakeholder group and project managed by the GLA in 2006/7. Unlike GTANA in other regions, which are usually regional aggregates of local assessments[12], this was a single, regionally integrated project. The GTANA has placed what appears to have been an unusual weight on meeting the needs of those living in bricks and mortar accommodation and, in particular, those with a proven psychological aversion to so doing.

8 Government guidance appears to make only one reference to 'proven psychological aversion' and that is by way of discretionary and not obligatory wording when identifying factors that can be taken into account in assessing need arising from households living in 'bricks and mortar' dwellings: *"whose existing accommodation is overcrowded or unsuitable ('unsuitable' in this context can include unsuitability by virtue of proven psychological aversion to bricks and mortar accommodation*)[13]" (GLA underlining). This single, discretionary reference does not appear to be used in the originating legislation, in the Circulars or the regional guidance. The GTANA's substantial reliance on a discretionary concept (it accounts for 69% of identified need) appears to be justified mainly by this one reference. It also refers to one of several High Court decisions which have addressed it (but these are primarily in the context of housing legislation rather than that of a regional GTANA[14]).

9 Moreover, the more general balance of emphasis in the guidance on surveying the housing needs of gypsies and travellers is strongly oriented towards assessing the needs of those arising from communities living on sites, not in bricks and mortar[15]. While the problems of identifying the needs of the latter group are recognised, regional guidance clearly anticipates that it is, by a significant margin, those living on sites which will give rise to the greatest need: *"the issue at the heart of regional strategic allocation of pitches is that most requirements appear to be generated by current provision"*[16].

10 Having considered the matter in light of comments received it appears to the Mayor that the London GTANA[17] is not effectively aligned or proportionate with government's written guidance in the weighting it has accorded to bricks and mortar need and in particular to 'proven psychological aversion'. Moreover, even if the approach which is used to identify bricks and mortar need and, in particular, if 'proven psychological aversion' was within the balance of government guidance, it still does not appear sufficiently robust to provide an authoritative basis for regional housing targets.

11 It is recognised that the GTANA is a sophisticated and ambitious study which acknowledges that collation of reliable data to estimate authoritatively the total gypsy and traveller population, especially that living in bricks and mortar accommodation, was problematic (paras 3.1 – 3.13). The Assessment also acknowledges that the process for

[12] Mayor of London 2010 (i) op cit
[13] CLG Gypsy & Traveller Accommodation Needs Assessments 2007 op cit para 15.
[14] The GTANA cites R (Margaret Price) v Carmarthenshire County Council; consideration has also been given to Codona v Mid Bedfordshire DC; Myhill & Faith v Wealden District Council; Clarke v DETR & Tunbridge Wells BC
[15] CLG Gypsy & Traveller Accommodation Needs Assessments 2007 op cit paras 71 – 77, 96
[16] CLG DCLG. Preparing Regional Spatial Strategies 2007 op cit 3.1, 4.3
[17] Fordham 2008 op cit

determining the interview sample, particularly for those living in bricks and mortar, posed challenges. While seeking to address the issue through sample stratification, it did note that issues were posed with regard to sample self selection (para 5.5 – 5.7, 5.13).

12 While it is recognised that the London GTANA went beyond many others in seeking to develop a more sophisticated approach to identifying 'proven psychological aversion' (paras 11.1 – 11.14), the limitations of a survey based approach mean that even when supplemented by modelling, production of output which is sufficiently robust for public resource allocation purposes is problematic. This is particularly so in these circumstances where it must bear authoritatively as a medical proxy for 'proven' housing need.

13 Informal consultation on options for future pitch and plot provision provided an opportunity to check the results of the GTANA's baseline assessment of existing provision in individual boroughs. In overall terms, when set against identified need, these shortcomings led to the GTANA 'minimum' target increasing from 238 to 268[18].

Towards a new view on sustainable gypsy and traveller pitch and plot targets

14 Government guidance, and especially that in section 4.3 of its regional guidance, rightly give the Mayor considerable flexibility in coming to a view on 'sustainable' pitch and plot targets. Consideration of the comments arising from the consultation process, including those having a bearing on the GTANA, together with a review of government's requirements and advice (summarised above) indicates that DRLP policy 3.9 and its associated targets do not address these requirements adequately.

Pan London target

15 It is clear that in having put so much weight on 'proven psychological aversion' the GTANA goes much further than government's guidance requires. The Mayor presently takes the view that as identified through the GTANA, such 'aversion' does not provide an as yet sufficiently robust justification for specific planning intervention in the very tight London land market or for the allocation of scarce public resources. In light of these constraints (which are recognised for the purpose of setting affordable housing targets for Londoners as a whole), it is more robust to recognise the distinct needs arising from those who live in caravans on sites and to closely monitor, and if necessary, subsequently address, the needs of those who are already housed in bricks and mortar accommodation. Such an approach provides a basis for pitch and plot targets which is much more 'sustainable' in the sense of government's requirements than those proposed by DRLP Policy 3.9.

16 The 'minimum' provision (238) identified by the GTANA provides this basis much more robustly than others in the range of options considered in the informal consultation process which preceded and informed publication of DRLP 3.9[19]. This process also identified several recording errors in compilation of the GTANA database[20] which the Mayor would wish to correct. These corrections would raise the minimum target to 268.

[18] Mayor of London 2010 i op cit
[19] Mayor of London 2010 (i) op cit
[20] Mayor of London 2010 (i) op cit

17 As a general planning principle, it is equitable for a provision target for gypsies and travellers to also reflect the same relationship between identified need and a target as is the case for affordable housing provision for Londoners as a whole. With affordable housing, targets have to reflect a range of matters which bear on deliverability and not just identified need[21]. As a result, the DRLP affordable housing target approximates to 72.5% of need. Applying this approach to the corrected 268 pitch requirement produces a figure of 194. However, while this figure is in line with government's equity principle, it is below the range on which informal consultation was carried out. In these circumstances it therefore would not be appropriate to apply the affordable housing factor in full but only down to the 238 level indicated by the original GTANA.

Borough targets

18 As government recognises, there are significant tensions in reconciling the residential preferences of gypsies and travellers and the distribution of capacity to accommodate them. Drawing on the informal consultation options[22], DRLP policy 3.9 weighted the distribution of proposed provision on the basis of need. This reinforced some existing concentrations of provision. To address these in light of government advice, a more equitable approach has been adopted, based on the lowest standard deviation shown by the different options. This indicates that a higher weighting should be given to capacity than to need. It is recognised that while this still reinforces some existing concentrations it does so to a much less significant degree than DRLP 3.9. This is illustrated in the table below.

Alteration and Draft Replacement London Plan Gypsy & Traveller Pitch Targets

Borough	Alteration Target	DRLP* Target
Barking and Dagenham	9	14
Barnet	16	22
Bexley	7	27
Brent	10	20
Bromley	17	58
Camden	4	6
City of London	0	0
Croydon	14	22
Ealing	7	26
Enfield	4	5
Greenwich	16	32
Hackney	7	19
Hammersmith and Fulham	3	5
Haringey	5	25
Harrow	3	9
Havering	19	42
Hillingdon	7	22
Hounslow	4	10

[21] CLG PPS3 op cit

[22] Mayor of London 2010 (i) op cit

Islington	3	5
Kensington and Chelsea	3	7
Kingston upon Thames	3	15
Lambeth	6	10
Lewisham	8	15
Merton	4	9
Newham	10	17
Redbridge	6	12
Richmond upon Thames	4	9
Southwark	8	15
Sutton	5	10
Tower Hamlets	14	28
Waltham Forest	4	11
Wandsworth	6	10
Westminster	2	2
London total	**238**	**538**

* Draft Replacement London Plan

Transit pitches

19 The GTANA (para 12.29) *"suggested a small requirement for transit pitches across London. Using survey data we estimate that this would be equivalent to 3.5% of the residential need, so 20 pitches by 2012. However, the requirement for transit pitches will be uneven through the year, and sites will need spare capacity to allow for vacancies. Increasing the figure to 40 pitches would provide additional space to meet these requirements"*. Derivation of the 20 pitch proposal appears to have taken into account a base which includes at least some of those which the GTANA considers to have a 'proven psychological aversion' to living in bricks and mortar accommodation. If the 3.5% multiplier is applied to the 238 proposed above for the full term of the target it could indicate a need for only 8 pitches. Moreover, the proposed addition of a further 20 pitches to meet longer term need does not appear to be supported by evidence. However, were that figure to be reduced pro rata to the 8, which would appear to entail a degree of double counting, then the total target would be 16.

20 An alternative method of assessment which disregarded what may be an un-evidenced increment of 20 but applied the equitable 'affordable housing factor' (72.5%) to the initial identified need for 20, would suggest a need for 14 pitches.

21 The average (15) of the two figures (16 and 14) provides a more robust estimate of the need for future transit pitches than that proposed in the DRLP.

22 It is acknowledged that this new figure was not included within an 'informal consultation' range[23] of possible provision in the same way as was the overall pitch provision targets. However, as the Mayor remains committed to monitoring the impact of his policy and to reviewing it by 2015/16 any strategically significant changes in need and supply can be addressed in the interim through guidance.

23 Government's equity concerns are already addressed by the DRLP which proposes an equitable distribution of the target among sub regions to be further

[23] Mayor of London 2010 (i) op cit

distributed down to borough level through sub regional housing partnerships. Such partnership based working continues to resonate with his overall approach to planning in London.

Travelling show people plots

24 The GTANA has not identified any show people with proven psychological aversion to living in bricks and mortar accommodation because none of the sample which lived in such accommodation "wished to live on a yard" (para 13.6).

25 Following the equity principle, it is appropriate to set a target to address the identified needs of the remainder of this group in the same way as is done for affordable housing ie to apply the 27.5% deflator to the 73 plot target set out in the DRLP. This gives a new target of 53.

26 It is acknowledged that this new figure was not included within an 'informal consultation' range[24] of possible provision in the same way as was the overall pitch provision targets. However, as the Mayor remains committed to monitoring the impact of his policy and to reviewing it by 2015/16 any strategically significant changes in need and supply can be addressed in the interim through guidance.

27 Government's equity concerns are already addressed by the DRLP which proposes an equitable distribution of the target among sub regions to be further distributed down to borough level through sub regional housing partnerships. Such partnership based working continues to resonate with his overall approach to planning in London.

Other changes to Policy 3.9

28 The introduction of 'sustainable' targets into policy 3.9 in the terms set out above is the main objective of this minor Alteration, attached as Annex 1. However, these are not an end in themselves. The Mayor has made clear that as with any other target, they must be a means to improve outcomes, and certainly not be barriers to realising them[25]. This view applies particularly to improving on London's poor track record in increasing pitch and plot provision. It is more important to have targets which are 'sustainable' and result in real outcomes than to have those which 'tick the target setting process boxes', but are not 'sustainable' for those who must deliver the outcome which the Mayor seeks. This has been taken into account in the Integrated Impact Assessment for the Alteration attached as Annex 2.

29 Subject to wording changes to the text supporting the new targets, much of the DRLP policy and supporting text can remain as it is eg guidance on monitoring and rolling forward the targets until policy is revised by 2015/16. However, to ensure that the targets are sustainable in the terms of government guidance, including application of the equity principle embracing all Londoners, the new supporting text should also make clear that policies which bear on protected land, the environment and other land uses apply to all Londoners and all businesses which operate here.

[24] Mayor of London 2010 (i) op cit
[25] Mayor of London. Planning for a better London. GLA, 2008

Annex 1

MINOR ALTERATION TO THE CONSULTATION DRAFT REPLACEMENT LONDON PLAN (DRLP)

(**Underlined red, bold** represents proposed additions to the DRLP text, ~~red struck through~~ text represents proposed deletions)

Policy 3.9

Gypsies and travellers (including travelling show people)

LDF preparation

A

In accordance with Government requirements, Boroughs should translate the relevant pitch targets set out in Table 3.4 into specific LDF site allocations on the basis of:

a Core Strategy site allocation criteria which are fair, reasonable, realistic and effective in achieving these targets and reflect the ***strategic*** *priority to address needs arising from groups already living in caravans on sites*

b this new provision being additional to existing capacity and subject to monitoring

c net existing and new capacity being protected.

3.47 With support from the GLA, the boroughs have undertaken a Gypsy and Traveller Accommodation Assessment (GTAA)[25], following Government guidance.[26] As required by Circulars 1/2006 and 4/2007[27], the Mayor has identified the number of pitches required for each Borough (Table 3.4) 'in the light of the GTAA and a strategic view of needs across the region'. In taking this view he has followed the process required by Government including coordination with the London Housing Strategy, engagement with a wide range of stakeholders including individual boroughs, London Councils, adjacent regions, the London Gypsy and Travellers Forum (which receives GLA support), and other representatives of the traveller communities and Government[26].

3.48 In coming to his view of needs across the region the Mayor has carefully considered those of stakeholders expressed in informal consultation on options for addressing this matter **and those arising from public consultation on the Draft Replacement London Plan**, as well as more strategic issues such as application of national guidance on pitch provision in the unique circumstances of London. These include:

- The **extent to which 'proven psychological aversion' as Identified by the GTAA should be taken Into account In setting targets and the** role **of** ~~that~~ bricks and mortar accommodation in meeting the housing needs of individuals falling within government's definition, and the dangers of taking a formulaic national approach to assessing need in highly urban areas **including the distinct circumstances of London: 69** per cent of the need identified by the GTAA comes from gypsies and travellers who already live in bricks and mortar accommodation

[26] Mayor of London. Towards provision targets for Gypsy & Traveller, Travelling Showpeople and transit pitches in the Draft Replacement London Plan. GLA 2010

- the limited supply of land in London to accommodate housing of any type; the unique development pressures on it; the high densities at which housing development must take place to meet overall housing requirements and the need for realism over the viability and deliverability of any form of housing requiring public subsidy, especially in light of London land costs
- at Londonwide level, the balance which has to be struck in these distinct circumstances between meeting the special requirements of a group which requires provision at a density equivalent to an average of 50 dph when the average density to meet wider housing requirements is some **129** ~~140~~ dph and at a time when affordable housing resources are likely to be limited for at least the medium term and must be distributed equitably and effectively to meet wider-ranging needs in what will remain a uniquely high cost land market
- within London, the balance which has to be struck between meeting needs in ways which support existing community networks, which will tend to reinforce the existing pattern of provision, and a geographically wider distribution which enables more equitable and efficient use of scarce housing land and finance resources.
- **government's recognition that *"there Is no 'technical answer based only on the needs or preferences of gypsies and travellers... these must be considered In the wider context so as to achieve a sustainable outcome which balances the needs of all communities within general planning principles".* These principles are sustainability, equity and choice, social exclusion, environmental protection and flexibility. The London Plan's " *proposals must also be capable of Implementation, which means that they must be politically acceptable*"[27]**

3.49 The Mayor has therefore taken the strategic Londonwide view that the identified needs of defined groups already living in caravans on pitches should be addressed as a priority within the pan London monitoring benchmark of **238** pitches ~~This is based on the midpoint between meeting the needs of these groups and, with minor statistical correction, meeting the additional needs of those Identified by the GTAA as living In bricks and mortar accommodation.~~ It is supported by a commitment to address other needs if they emerge in the longer term. Performance against this benchmark will be monitored against achievement of borough provision targets (see para 3.50) to test the effectiveness of the GTAA in identifying need and to inform a review of policy by 2015/16.

3.50 Within London, the borough level distribution of the pan London figure in Table 3.4 reflects a weighting between need and housing land capacity which acknowledges **capacity** ~~the~~ **as well as the** travelling communities' current geographical preferences while seeking a more even distribution of provision than in the past.

3.51a In addition, boroughs and other stakeholders should work to secure:

- an even sub-regional apportionment of **15** ~~40~~ additional transit pitches, to be

[27] **CLG Preparing Regional Spatial Strategy reviews on Gypsies and Travellers by regional planning bodies. CLG 2007, s 4.3**

distributed at borough level through sub-regional housing partnerships in light of negotiation between boroughs and other stakeholders

- an even sub regional apportionment of **53** ~~73~~ additional pitches for travelling show people to be distributed among boroughs through sub-regional housing partnerships in light of negotiation between boroughs and other stakeholders.

3.51b This provision should be made In the context of the wider policies of this Plan, Including those for land use, such as industrial land, and the environment, such as those covering the protection and enhancement of open space, Metropolitan Open Land and Green Belt.

Table 3.4 Gypsy and Traveller Pitch Provision 2007–2017

Borough	Alteration Target
Barking and Dagenham	9
Barnet	16
Bexley	7
Brent	10
Bromley	17
Camden	4
City of London	0
Croydon	14
Ealing	7
Enfield	4
Greenwich	16
Hackney	7
Hammersmith and Fulham	3
Haringey	5
Harrow	3
Havering	19
Hillingdon	7
Hounslow	4
Islington	3
Kensington and Chelsea	3
Kingston upon Thames	3
Lambeth	6
Lewisham	8
Merton	4
Newham	10
Redbridge	6
Richmond upon Thames	4
Southwark	8
Sutton	5
Tower Hamlets	14
Waltham Forest	4
Wandsworth	6
Westminster	2

London total	**238**

Note: for distribution of provision to meet needs for transit and travelling show people pitches see para 3.50

3.51 The GTAA only covers the period 2007 – 2017 and LDFs must address a term of 15 years. In rolling forward the targets on an annualised basis until a new GTAA is prepared, boroughs should take account of Government advice that gypsy and traveller household growth is expected to be three per cent a year and that the need arising from travelling show people is expected to increase at 1.5 per cent a year[28]. The Mayor will work with all stakeholders to provide guidance on implementing this policy including sources of pitch provision, social and other infrastructure and measures to foster greater social inclusion.

Annex 2

Integrated Impact Assessment - Addendum

This assessment represents an addendum to the Integrated Impact Assessment (IIA) of the draft replacement London Plan published in October 2009.

Since publication of the draft plan the Mayor of London has taken the view that an alteration should be made to Table 3.4 outlining borough targets for pitch provision that supports Policy 3.9 *Gypsies and travellers (including travelling show people)*.

As a result of the consultation on the draft plan, there was no single view on the optimum distribution of pitch provision across London. The gypsy and traveller communities and government favoured options which accommodate 'maximum need' while most boroughs sought a lower level of provision, and several queried the robustness of the original Gypsy and Travellers Accommodation Assessment that helped underpin the proposed targets. Therefore, a new approach has been proposed by the Mayor to recast the borough targets.

The following updates the IIA Report that was published in October 2009 (alongside the draft plan) as a record of the expected impacts of proposed policy 3.9 in its altered form. The IIA is an assessment of the environmental, social and economic performance of the draft replacement London Plan against a set of objectives (please refer to the final IIA report[28]).

The approach employed in the IIA fulfils the requirements for Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), Equalities Impact Assessment (EqIA), Health Impact Assessment (HIA) and Community Safety Impact Assessment (CsIA). This approach avoids the need to undertake and report on separate assessments, seeks to reduce any duplication of assessment work and benefits from a shared understanding of policies. In general the original assessment of Policy 3.9 is still relevant, however, the change to the supporting table has meant that the policy is expected to have different impacts in terms of the sustainability objectives that underpin the IIA.

The Requirement for Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

An SA (incorporating SEA) of the London Plan is required by the Government Office for London Circular 1/2008, which states (in Section 3.6) that:

> *'The sustainability appraisal, incorporating SEA, of the SDS should allow for a systematic and iterative testing of the emerging proposals.'*
>
> and:
>
> *'The precise form of the appraisal is a matter for the Mayor. However, he or she should have regard to current Government guidance on good practice for sustainability appraisals, for example in PPS11, PPS12, any revisions to these and Sustainability Appraisal of Regional Spatial Strategies and Local Development Frameworks (ODPM 2005)'.*

[28] Integrated Impact Assessment: Full Report. Mayor of London (2009)

The Circular also states that:

> *'The approach to these assessments* [SEA and SA] *should take account of relevant guidance. Assessment*[s] *should be proportionate, taking into account the scale and extent of the alterations or review proposed. It should build on previous assessments that have been undertaken'.*

The Crime and Disorder Act (1998) and the Police and Justice Act (2006) also place a duty on the Mayor to give consideration to community safety. Consequently, a Health Impact Assessment (HIA), Equalities Impact Assessment (EqIA) and a Community Safety Impact Assessment (CsIA) are undertaken as part of the Sustainability Appraisal/Strategic Environmental Assessment of the London Plan. These elements have been integrated into this single Integrated Impact Assessment (IIA). The assessment of health, equality and community safety effects was undertaken as an integral part of the IIA process and these concerns are reflected within the IIA Objectives.

Assessment

The IIA report published in October 2009 contains an assessment of Chapter 3 of the draft replacement London Plan. This is summarised from Page 54 of the IIA report and also includes a summary of baseline information, a summary of the effects of the policies in Chapter 3 and the options for new housing targets posed by the GLA. Based on the assessment of the proposed minor alteration relating to Policy 3.9 it has been concluded that this assessment is still relevant and should remains unchanged. However, the minor alteration proposes changes to Table 3.4 that supports Policy 3.9, and therefore a new assessment has been made of the policy itself. The starting point for this assessment is the detailed Assessment Matrix that is presented in Appendix I of the IIA report. This matrix outlines the assessment of effects of the policies in the draft plan against each IIA objective.

This assessed the original Policy 3.9 on Gypsy and Travellers as being strongly positive on 'Health & Wellbeing' and 'Equalities' objectives, positive on the 'Housing' objective and neutral on all other objectives. The IIA report commented that *"the policy is likely to contribute towards equalities and improvements in health by providing suitable and appropriate areas for traveller pitches. There are a number of other policies that seek to enhance the positive effects and mitigate the negative effects of this policy. These include policies from Chapter 2; Chapter 4; Chapter 5; Chapter 6 and Chapter 7, as well as policies within this chapter. The effects are likely to occur throughout the lifetime of the Plan as areas for gypsies and travellers are identified and implemented"*[29]. In addition a separate Habitats Regulations Assessment screening report concluded that the impact of new pitch provision was more likely to impact at local level through Borough Development Plan Documents than at strategic level where the London Plan is proscribed from being site specific[30].

An assessment of the minor alteration to Policy 3.9 has been undertaken and is summarised in an assessment matrix below. This effectively updates the assessment of Policy 3.9 that is outlined in Appendix I of the IIA report. The overall conclusion from

[29] Annex I – Integrated Impact Assessment: Full Report. Mayor of London (2009)
[30] Page C3, Habitats Regulations Assessment: Screening Report. Mayor of London (2009)

the assessment is that the policy is still likely to provide positive effects on particular objectives, namely 'Health & Wellbeing', 'Equalities' and 'Housing', and neutral on all other objectives with the exception of 'Open Space' where a clear positive effect could not be conclusively established. Whilst it is accepted that this alteration lessens the overall positive impact of the original proposed Policy 3.9, the rationalising of individual targets for each borough should strengthen the ability of boroughs to deliver Gypsy and Traveller pitches within London.

In conclusion it is expected that the overall effects of the minor alteration will still be positive and will not lead to any negative social, economic and environmental effects. The alteration will also not impact on the conclusions of the Habitats Regulations Assessment screening report as the policy is still directed at local implementation. Importantly, it is expected the alteration will be more effective and efficient in terms of implementation which enables a greater certainty that the positive benefits will be realised.

Assessment Matrix

The matrix provides an assessment of the effects of the minor alteration to the consultation draft replacement London Plan against each IIA objective. The qualitative scoring system used to assess the likely effects is shown in Table 1.

Table 1 Description of scores

Key	Description
++	The policy is likely to contribute significantly towards the IIA objective.
+	The policy is likely to contribute positively towards the IIA objective, although not significantly.
0	The policy is considered to have no significant positive or negative effect.
-	The policy is likely to detract from the achievement of the IIA objective, although not significantly.
--	The policy is likely to detract significantly from the achievement of the IIA objective.
?	The policy has an uncertain relationship to the IIA objective. Alternatively, insufficient information may be available to enable an assessment to be made.

The Plan should be read as a whole as no policy applies in isolation (for example, there are other policies in the Plan that protect open space and these will apply alongside policies encouraging development). The approach to the assessment recognises this issue and key policies that seek to enhance positive effects or mitigate the negative effects are noted in the commentary. Therefore please also refer to the final IIA report published in support of the draft replacement London Plan in October 2009.

Proposal \ IIA Objective	1. Regeneration & Land-Use	2. Biodiversity	3. Health and Well-being	4. Equalities	5. Housing	6. Employment	7. Stable Economy	8. Flood Risk and Climate Change Adaptation	9. Climate Change Mitigation and Energy	10. Water Quality & Water Resources	11. Waste	12. Accessibility and Mobility	13. Built and Historic Environment	14. Liveability and Place	15. Open Space	16. Air Quality	Commentary
Chapter 3 (London's People)																	
Minor Alteration: Policy 3.9 Gypsies and travellers (including travelling show people)	0	0	+	+	+	0	0	0	0	0	0	0	0	0	?	0	• The policy is likely to contribute towards equalities and improvements in health by providing suitable and appropriate areas for traveller pitches. Overall this impact is not as significant as the original proposal in the draft replacement plan, however, the alteration will still have positive impacts on the heath and wellbeing of gypsy and traveller communities and promote equalities and fairness by enhancing the availability of pitches for their accommodation needs. In this respect it will also provide positive benefits to the provision and diversity of housing options in the region. • Given the alteration proposes a lower target for pitches there may also be a positive impact on the objective of protecting and enhancing open space in London, however, there is insufficient information to justify this notion. • There are a number of other policies that seek to enhance the positive effects and mitigate the negative effects of this policy. These include policies from Chapter 2; Chapter 4; Chapter 5; Chapter 6 and Chapter 7, as well as policies within this chapter. • The positive effects are likely to occur throughout the lifetime of the Plan, however, detailed monitoring should be undertaken to assess the uptake of Gypsies and Travellers pitches and to ensure no unforeseen negative impacts occur.