

Telephone: [REDACTED] Fax: [REDACTED]  
e-mail: [REDACTED]

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Examination Office  
Longcroft Cottage  
Bentley Road  
Clacton-upon-Sea  
Essex CO16 9BX

Dear Sirs

Maldon District Council Local Development Plan Examination in Public  
Modifications to Policy H6 - Gypsy and Traveller Provision

I have received and studied the Council's proposed modifications.

I do not consider them to be satisfactory

So many changes were made to this entire section of the LDP, whether before, during or since the hearing, that it is difficult to know what is left in Policy H6. It would *appear* that only the first statement within the policy frame remains untouched. The statistics on numbers of pitches has been deleted. The list of sites, which was originally described as designated for future development of Gypsy/Traveller sites, was certainly understood by this reader as the geographical places where the policy was to be implemented. That list has been changed to a list of existing traveller sites; but much of the clarification has been deleted, so that there is no means of knowing which sites on the list are theoretically available for future sites, e.g. because they have unimplemented planning consent. If the list of H6(a) to (o) is in fact a list of sites all in use by gypsies/travellers, I cannot understand why it remains within a policy aimed to be delivering new sites, and setting out the criteria for proper planning considerations governing those new sites.

During the hearing on 3 February, the Inspector challenged the validity of the first two requirements in the sequential list, pointing out to the Council that neither of these points could be satisfied by any applicant, making it inevitable that all applications could be refused. That concern has not been answered. Moving the criteria (currently in the Clarification section) before the sequential list, and describing the sequential list as 'preferred' rather than mandatory, do not address the Inspector's concerns. I cannot see how this hurdle can be overcome, other than by having in place a proper subject plan on accommodation for gypsies and travellers. It is, therefore, doubly disappointing that the Council does not refer to a Gypsy and Traveller Local Plan at all, let alone providing a timetable for its preparation and anticipated adoption date. Nor does the Council seem willing to accept that the current H6 policy is surely unfair as well as unworkable for anyone seeking to set up a gypsy site in the Maldon District.

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At this point in writing of my dissatisfaction with the MDC modifications, the Inspector's letter arrived with its reference to the second query upon which we might care to comment. I hope to read the whole judgement but, thus far, I have read only the judge's summary of the relevant parts of sections 19 and 149 of the Equality Act 2010, and his findings on those matters. As you can see from the last sentence in the paragraph above this, I did already believe that the current policy is unacceptable in the absence of a proper plan, and even more unacceptable is the apparent lack of urgency, which sounded suspiciously like putting off an unpleasant job in the hope that it will go away. So I do feel that it is discriminatory and anyway plain wrong to delay site allocation to a later Local Plan: we all need formally allocated sites right now.

I have two other minor concerns about the re-vamped Policy H6. I have always felt that a major aspect of local development planning is to set out policies in a straightforward manner, simply expressed to ensure there is no equivocation about the plan's intentions, and transparent in all its reasoning. To prepare a list of 58 existing pitches and then cheerfully describe it as 'in no particular order' is the very antithesis of clarity. Why should there be an untidy and reasonless list in a document that aims to be tidy and rational? Why not explain the reasoning, or even better, simply list the pitches in alphabetical order of parishes? May I ask that such a change should be implemented, and the list could then be described as 'in order of parishes' ?

My other concern is, naturally, the very reason why I objected to this policy in the first place: the total absence or any explanation of the unusual circumstances governing the creation of the Wood Corner site at Woodham Walter. I still strongly believe it is rotten planning to leave in place the possibility of intensifying the use of the site or adding to its size when the MDC knows full well that the owner of the site (Essex County Council) and the people of Woodham Walter would fight very hard to ensure that the promise made by that owner to our parish is honoured. So I hope that the Inspector will still feel minded to request a small addition of this bit of history to the clarifying text.

Yours sincerely

Patricia Herrmann