

Maldon Local Plan Tuesday 3rd February 2015

Day 7 (PM) matter 9 Travellers

Statement of Mrs Annie Hopkins

In 1996 MDC Councillors reluctantly voted to provide a Local Authority run traveller site in Woodham Walter.

In 2013 we were appalled when our ward member recounted that *“At the time we were told if we provided the site and kept our heads down we would be “off the hook “for the foreseeable future”*. Despite being required to make further sites available in subsequent years, Councillors refused to adopt a policy with regard to gypsy and traveller provision. They made a conscious decision to ignore their statutory obligations. They were not alone in adopting this position; numerous other councils did the same thing. The reasoning behind it was that members would oppose all gypsy applications thus keeping faith with the voters, and pass the responsibility for decision making on to the Planning Inspectorate. Any successful Appeals were blamed on Inspectors and any refusals claimed as victories. During this period various Planning Inspectors cited Maldon’s serious failures of Policy as reasons for allowing Appeals.

Despite repeated criticisms during the intervening 19 years nothing has been done to address those failures.

In 2008 the East of England RSS identified the need for a minimum of 15 additional pitches per District. Subsequently the minutes of the Planning and Licensing Committee on 24th April 2008 show that members felt justified in not acting on those requirements because *“adequate provision has been made in the past in line with targets and expectations at the time “and Councillors felt this was not recognised in comparison to “lack of provision in other Districts”*. Bear in mind this was 12 years after they had made their first, sole provision.

In 2011 we held a public meeting to ask local people and our MP to lobby for change and force MDC to adopt a proper policy. The historic failure to adopt a policy had resulted in several successful Appeals which in turn led to a disproportionate number of sites in our village. We were seeing record growth in the number of successful applications, particularly in one site in our district which happens to be on land directly adjacent to our home. In the intervening three years since the 2008 RSS report identifying the need for 15 extra pitches, not one had been provided. Again, consecutive Inspectors were crediting MDCs failure of

policy and failure to make any provision for giving serious weight to their decisions to allow appeals.

In just a few years we witnessed 2 quiet, well integrated, open sites expand to 14 busy, noisy pitches now behind high fences with no positive interaction with the surrounding community. Almost 35% of the privately owned pitches in the entire district were now situated in one very rural lane. The rapid intensification of pitches was totally inappropriate for such a small hamlet with absolutely no infrastructure. And the golden thread of sustainability was quietly ignored. During 2012-2014 Lea Lane in Great Braxted saw an application by Gypsy and Travellers on average about every 8 weeks. We appealed to the council to make alternative provision – the government had made £60million available for the provision of Gypsy and traveller sites. However the majority of local authorities would not apply for these funds - such was the unpopularity of the scheme.

We attended G & T Consultation seminars at the Department for Communities and Local Government and undertook masses of independent research. What we learned from the people we spoke to, including travellers themselves and staff from the London Traveller Unit, was that the majority of genuine travellers did not want to live on large sprawling sites. They could see that it made it harder for them to be accepted by and integrate with the neighbouring settled community and the larger sites became the less interaction there was with local people. We wrote to MDC outlining ideas and strategies to improve provision, we begged them to be proactive for reasons which would benefit both the travelling and settled communities. We challenged them to adopt a policy which would set an example to their neighbouring districts. We asked for a more even spread of sites across the district in more sustainable areas. Their response was to set up a Gypsy and Traveller Working Party. Sounds good doesn't it? So what did the working party do? Well between July 2011 and May 2012 they not only counted of all the sites in the District but they also came up with a "best fit" definition of gypsy and travellers. That's it, only while they were doing this they discovered that there were a few more pitches than previously thought. We can only assume they thought that by legitimising 5 "under the radar" sites and adding them to the overall numbers they might persuade future Inspectors that additional provision had been achieved. The Working Party was headed by the Councillor who told us that they had previously adopted the policy of "keeping their heads down". Concerned, we made a freedom of information request for any minutes of the Working Party but this was denied on the grounds that *"those taking part would be*

inhibited from the frank exchange of views” which would result in the “stifling of debate”. Presumably on how to count pitches.

Imagine our feelings then in July 2012 when the Public Consultation for the LDP began and we saw the criteria for the new proposals listed in order of preference;

- a) Existing identified sites would provide additional provision through intensification and or improved orientation.**
- b) Existing identified sites which could provide additional provision through appropriate expansion**
- c) Sites within existing development boundaries or strategic growth areas**
- d) Other sites in the District which are deemed suitable by the council**

Again despite us engaging with the process, putting forward reasonable, measured objections when the Draft Local plan emerged came out the wording was exactly the same. 8 wards out of 30 had existing sites and could therefore expect more under the new criteria. 22 wards had none. How could this be judged a reasonable response?

MDC now want to undertake a review which would effectively shelve a workable policy until possibly beyond 2016. The Council has had numerous opportunities to undertake a review, especially after the local pressure in 2011. And we know how that turned out.

There have been many justifications for inaction, another report coming out, the Localism Bill, a change of Government, proposed changes in legislation. Each time they stick to old behaviour patterns to see them through until the next deadline. Historically they have not grasped the nettle since 1996 and only then reluctantly. In March 2011 the All Parties Commons Community and Local Government Committee published their report into the abolition of the Regional Spatial Strategies. Chairman Clive Betts expressed concerns that the intended abolition would *“create a hiatus” which would give rise to an inertia....making it much harder to deliver necessary but controversial or emotive “larger than local” facilities such as waste disposal sites... or sites for gypsies and travellers...”*

However as we have illustrated, the inertia he feared had already, over the course of many previous years, become deeply ingrained at the

heart of the councils approach to the provision of gypsy and traveller sites.

So you will forgive us if we do not have any faith that things will be any different in 2016, the twentieth anniversary of the only real provision the council has ever made. By allowing MDC to postpone any effective Policy review or implementation beyond the remit of this LDP Hearing, the Inspector risks things staying exactly as they have been for the past 30 or more years. And even now in its responses Maldon is still using phrases such as *"if necessary to ..allocate new gypsy sites"* and *"allocate sufficiently new sites if required"*. No one in this room should be in any doubt whatsoever that new pitches are required.

In conclusion, we do not consider that Local Plan submitted for examination is "sound" in that it is not positively prepared, justified, effective or consistent with national policy

We hold Maldon's decisions on Gypsy & Traveller policy to date to be wholly irrational, they have ignored both the relevant guidance and their statutory obligations for many years. H6 is unquestionably unsound. It is discriminatory to both the travelling and the settled communities. It promotes the formation of enclaves or ghettos which would not be acceptable for any other section of society. It is in direct contravention of the mixed housing regulations that apply to all new developments. It actively discourages integration.

MDC have no deliverable pitches; they have repeatedly proved themselves incapable of addressing the issues in a responsible manner – despite the concerns of local residents and the fact of central funding being available. The public can have no faith in this process if a District Council is allowed to shear off a section of the District Housing need, in contravention of Government policy, simply because it is unpalatable or unpopular. Therefore we respectfully ask; if it is within your power, please compel the council to finally make proper provision for traveller sites. We do not ask this selfishly as it is far too late for us to improve our own circumstances; only do not compound a long established problem by allowing them to postpone it until 2016 or beyond. Perhaps then other councils will come to the realisation that they cannot simply avoid the "larger than local" issues any longer; after all, the function of democracy is not to lower standards but to raise those that have been too low.