

From: [John Cox](#)
To: [Forward Planning](#)
Cc: [REDACTED]
Subject: Local Plan: Gypsies, travellers and travelling showpeople
Date: 09 August 2021 22:45:37

This response email is to claim that the local plan's policy on gypsies, travellers and travelling showpeople is unsound and requires rejection by the Planning Inspectorate. The borough needs to start again, as an essential Major Modification to the local plan.
GOVERNMENT GUIDANCE

The local plan has been produced under the terms of the government's 2015 guidance:

Planning policy for traveller sites

which states that:

"The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers, while respecting the interests of the settled community.

To help achieve this, Government's aims in respect of traveller sites are:

a. that local planning authorities should make their own assessment of need for the purposes of planning.

[Unfortunately, Barnet has not made a reasonable assessment of need, based on credible evidence, but then, historically, Barnet officers have historically based 'traveller policy' (and their careers) on political direction in the borough and, perhaps historically, their own prejudices.]

b. to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites.

[Barnet has jointly worked with other authorities in the West London Alliance, but that has had unreasonable consequences for policy.]

...

g. for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies.

[Barnet's policy may be politically realistic to some, but it is not fair or inclusive.]

h. to increase the number of traveller sites in appropriate locations with planning permission, to address under-provision and maintain an appropriate level of supply.

[Barnet maintains that there is no under-provision, because there is no demand.]

...

j. to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure.

[An expense this 'borough of enterprise and success'

has historically sought to avoid.]”

There seem to be no changes in the NPPF since 2015 that significantly affect any of the above statutory guidance.

LOCAL PLAN SOUNDNESS

As the local plan says (in 5.2.4):

“In addition to providing an appropriate dwelling mix the Borough needs to offer greater choice than the standard tenure of residential market units for sale. These housing options may include:

... Sites for Gypsies, Travellers and Travelling Showpeople in order to meet any need identified by Barnet’s Gypsy and Traveller Need Accommodation Assessment (GTNAA).”

Section 5.9 then covers

Gypsies, Travellers and Travelling Showpeople

It says (in 5.9.1):

“The West London Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) provides a robust and objective assessment of current and future need for accommodation.”

It does not do that at all.

It is not ‘robust’ or ‘objective’, and it therefore makes any policy derived from this ‘evidence’ unsound.

It is **not positively prepared**, because it does not provide a strategy which, as a minimum, seeks to meet the area’s objectively-assessed needs. No significant objectivity has been used by the authority in its assessment.

It is **not justified**, because there is no appropriate strategy, considering the reasonable alternative of providing travellers pitches as do every surrounding local authority, (not even ONE PITCH!) or encouraging private provision.

It is **not effective** - except in the sense that it would effectively manage to deliver nothing at all over the plan period. Mention of ‘London-wide planning’ is kicking-the-can-down-the-road, since it is unlikely the Mayor would have statutory powers to effect actual change in Barnet. Although there has been a ‘West London Alliance’ report, the result is that there is no effective joint working on cross-boundary strategic matters, or only in the sense that other boroughs will continue to make provision for travellers, but in Barnet, “it will only happen over our dead body”.

It is **not consistent with national policy** in the sense it ignores the 2015 statutory guidance that:

“In assembling the evidence base necessary to support their planning approach, local planning authorities should:

a) pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers’ accommodation needs with travellers themselves, their representative bodies and local support groups)

b) cooperate with travellers, their representative bodies and local support groups; other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of their

development plan, working collaboratively with neighbouring local planning authorities
c) use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions.”

LAST-MINUTE ADDITION!

The Draft Local Plan (Reg 19) Publication consultation has been
from: 28 June 2021
until: 9 August 2021.

However!

On **20 July 2021** the authority added (i.e. quietly slipped out) a document into the local plan submission's web page:

Update on Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA)

This document appeared, without any known publicity, over half-way through the public consultation period.

The Planning Inspectorate can, of course expect to receive many additional documents from a planning authority during the progression of a local plan, which need to be adequately classified and published.

However, the Planning Inspectorate may want to clarify if the public is expected to comment on a moving target, that is, one that quietly changes during the public consultation period.

THE GTAA

The GTAA report states (in section 3.2):

“PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes:

- the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves);***
- identification of permanent and transit site accommodation needs separately;***
- working collaboratively with neighbouring local planning authorities; and***
- establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.***

The stages below provide a summary of the methodology that was used to complete this study. ...”

I invite the Planning Inspectorate to conclude that, in the case of LB Barnet, the GTAA jointly-written supporting document is unsound.

Its methodology may be partly questionable in the case of the other contributing London boroughs, but at least they have existing traveller pitches to allow interviews by researchers.

Barnet has no existing traveller pitches and must have been delighted by the chosen methodology, endorsed by the borough, of interviewing non-existent people!

(I have already challenged the use of joint supporting documents for local plans with the Planning Inspectorate, and specifically regarding this GTAA and its effect in Barnet in particular.

I have so far received what I think are unsatisfactory replies. There is, therefore, currently no opportunity for reasonable democratic comment by the public on multi-authority methodology.

The London Borough of Brent has already used the GTAA at its local plan submission, and I got short shrift when I raised generalised questions about the report at the EiP there.

There is no guidance from the Planning Inspectorate to inspectors on this subject, and that ought to be rectified.)

Barnet is hardly the size of a parish council, and does not need to hide behind 2015 guidance that says:

“... consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries).”

Other boroughs are quite capable of individual borough policies and of making traveller provision.

Barnet is big enough to do so too, whether privately-provided with Barnet's planning support or publicly-provided, mentioned as 'necessary' in government guidance (and which is widespread and the norm across London boroughs).

The GTTA manages to say about Barnet (in section 7.20 onwards):

“There were no Gypsies, Travellers or Travelling Showpeople identified to interview in Barnet.”

“Following efforts that were made, it was not possible to interview any households living in bricks and mortar in Barnet.”

“There are no public sites in Barnet so there is no waiting list.”

“There were no households identified to interview in Barnet, so there is no current or future need for additional pitches for households that met the PPTS planning definition.”

“There were no Travelling Showpeople identified in Barnet, so there is no current or future need for additional plots under the PPTS or Draft London Plan definition of a Traveller.”

Money well-spent by the borough then!

It is perfectly fair to say that some of those phrases were used for other boroughs in the report, but only Barnet manages to get 'all the ducks in a row'.

It is appropriate to ask the Planning Inspectorate to consider what an imaginary similar report might look like if it was:

- only commissioned by Barnet, and
- only applied to Barnet.

It might say:

“We wrote an appropriately-resourced report methodology - that was endorsed by the borough - to successfully collect absolutely no evidence, and we have succeeded in achieving that aim.

As anticipated, it provides you with cover for the decades-old political policies towards travellers in Barnet to continue.

Job done. Please pay our fee.”

The GTAA regarding Barnet is unsound.

Policies based on it are therefore also unsound.

The 'GTAA UPDATE' OF 20 JULY

The authority has unexpectedly produced a second supporting document, as an 'update'.

It states (in section 2.1.1):

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“Through the Local Plan consultation, respondents have highlighted reports of unauthorised encampments in Barnet throughout 2019. Respondents also claim that the evidence base and policy have been unsoundly produced.

- ***One respondent highlighted that evidence base and policy have been unsoundly produced and will be challenged if the Council do not act more responsibly and equitably as a London borough with shared responsibilities for the city.***

The respondent claimed that:

‘there have been decades of well-documented discrimination and racism against these groups from the political leadership of Barnet’.

The respondent [further] claimed that the Council

‘are simply perpetuating that, and that the earliest possible provision within the Growth Areas should occur, to allow early and stable links to be made within the wider incoming communities, and to provide early school-settlement, job and training opportunities.’

- ***Another resident questioned the derivation and accuracy of the statement in the GTAA that there were no Gypsies, Travellers or Travelling Showpeople identified to interview in Barnet. The representor states:***

- she visited a site of five caravans, parked in the car park of Bethune Park in N11 on December 6th, 2019, and

- provided data from the NextDoor app between May and December 2019 covering ‘South Whetstone’, citing evidence that travellers had been resident in the borough during this seven-month period, and

- suggest[s] that [all] this information would also be available to the Safer Neighbourhood Team, the Courts, local Councillors and the local MP who was also lobbied for their removal.

The ‘GTAA Update’ goes on to document numerous additional non-approved encampments.

I have received details from the Metropolitan police and from the local authority under Freedom of Information requests of some of those occasions.

Co-incidentally, the ‘GTAA Update’ document was published after I requested those Fol details from the authority.

The Planning Inspectorate should examine whether the authority considers

- whether or not evidence of non-approved encampments (not 'unlawful encampments')
- provides evidence, worthy of the local plan, of unmet demand in the borough.

The local plan actually states (in section 5.19.1):

“The Council acknowledges that insufficient pitch provision can contribute to a rise in unauthorised encampments, with implications for the health and wellbeing of Gypsies, Travellers and Travelling Showpeople, community cohesion and costs for boroughs.”

So: does it or doesn't it?

The alternative, which I hope the Inspectorate will consider unsound, is in proposed **Policy HOU07**:

“The Council can demonstrate that there is no objectively-assessed need for pitches and plots for Gypsies and Travellers and Travelling Showpeople households.”

The public can reasonably conclude that the planning authority CANNOT demonstrate that.

The rest of **Policy HOU07** gives quite reasonable policies for

“any proposals that do come forward”

[perhaps meaning: “*despite us moving heaven and earth to stop that from ever happening*”].

Furthermore, the authority needs to remind the Planning Inspectorate of the specific 2015 guidance regarding the authority itself providing the required provision:

“... Government's aims in respect of traveller sites are ... to promote more private traveller site provision, while recognising that there will always be those travellers who cannot provide their own sites”

A rejection of Policy HOU07 is a necessary step towards that national aim of public provision as policy in Barnet, as in all other personally-known local authorities, even if the political leadership of the Barnet will 'possibly' direct its officers to try and stop a single penny being spent or any actual proposal being drawn up.

The 'GTAA Update' is a strange document, presumably produced as a last-minute defence (by "Stone, Caroline") because it is hardly an extra brick in any wall for protecting the authority's unbending, long-term attitude to travellers.

The attempt to talk up future, unspecified London-wide policies is a trap that I hope the Planning Inspectorate does not fall into.

More to the point, the authority's central policy description claim that:

“The West London Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) provides a robust and objective assessment of current and future need for accommodation.”

patently does not.

(end)