

Full Name

Simon Ruston

Organisation (where relevant)

TravellerSpace

Chapter of the Exeter Plan

Chapter 6 - Homes

1. To which part of this chapter does this representation relate? (Representations must be made on a specific policy or paragraph within the section and this should be specified in the below).

H11: Gypsy and Traveller accommodation

2. Do you consider that this part of the chapter is legally compliant?

No

2.a. If yes, and you wish to support the legal compliance of this part of the chapter, please use this box to set out your comments.

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2.b. If no, please give details of why you consider this part of the chapter is not legally compliant. Please be as precise as possible.

Evidence base for Gypsy and Traveller sites is not robust and out of date due to issues within the GTAA and changes to PPTS. As such, Section 124 Housing and Planning Act 2016 has not been complied with. Furthermore, as Romany Gypsies and Irish Travellers are impacted by this failure, section 149 for the Equality Act 2010 is in play.

In addition to this, failure to allocate land contrary to national planning policy offends section 149 for the Equality Act 2010.

2.c. Please set out the modification(s) you consider necessary to make this part of the chapter legally compliant, in respect of any legal compliance matters you have identified at 2.b above. You will need to say why each modification will make this part of the chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.

A robust GTAA

Site allocations for Gypsies and Travellers

3. Do you consider that this part of the chapter is sound?

No

3.a. If yes, and you wish to support the soundness of this part of the chapter, please use this box to set out your comments.

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3.b. If no, please give details of why you consider this part of the chapter is unsound. Please be as precise as possible.

Introduction

1. This response has been drafted on behalf of TravellerSpace, a registered charity supporting Gypsies, Irish Travellers and New Travellers in Cornwall and the Devon.

2. TravellerSpace aims to:

¢ **Break down barriers which prevent Gypsies and Travellers having equality of access to health, education and welfare services.**

¢ **Support Gypsies and Travellers in ensuring their voices are heard in decision and policy making processes.**

¢ **Provide support for Gypsies and Travellers in health, education and welfare matters.**

¢ **Provide play and creative opportunities for Gypsy & Traveller children and young people**

¢ **Support Gypsy & Traveller young people who have been excluded from school or who are disengaged with the learning process**

¢ **Develop and deliver training and workshops for schools, service providers,**

and other statutory and non-statutory agencies

€ Contribute to seminars, conferences, research and training events to highlight the experiences of Gypsies and Travellers

€ Enable Gypsies and Travellers to access volunteering and training opportunities.

€ Have a voice locally regionally and nationally in forums which highlight the issues facing the Gypsy and Traveller communities, and work to bring about positive change.

€ Inform and educate the wider community about issues which affect Gypsies and Travellers, and to

€ Raise awareness of Gypsy and Traveller cultures and traditions.

3. The response deals solely with policy H11: Gypsy and Traveller accommodation, the Gypsy and Traveller Accommodation Assessment and the failure to allocate land for sites.

H11: Gypsy and Traveller accommodation

4. We have a number of concerns over the wording of criterion b, e, and g:

b. Safe and convenient vehicular, pedestrian and cycle access to local facilities are available or provided and proposals minimise impacts on the local highway network;

5. Planning Policy for Traveller Sites (PPTS) sets out specific sustainability considerations for Traveller sites at paragraph 11. At no point does PPTS require sites to be within walking or cycling distances of services.

e. The site is within the urban boundary and the proposal does not cause an unacceptable landscape or ecological impact and is not in an area at high risk of flooding;

6. PPTS does not require sites to be within the urban boundary, and this aspect of the policy should be deleted.

g. In the case permanent accommodation, it delivers affordable housing in accordance with Policy H4.

7. Again, PPTS does not require this and as such this should be deleted.

8. The supporting text states:

The Designing Gypsy And Traveller Sites Good Practice Guide (May 2008) (The Department for Communities and Local 51 Government) provides a good

benchmark for the design of new sites and should be considered alongside Policy H11.

9. It should be noted that this was withdrawn many years ago.

The Gypsy and Traveller Accommodation Assessment

10. First and foremost the changes to the definition of Gypsies and Travellers in PPTS at the end of 2024 have significant implications for the need figure. The definition now states:

1. For the purposes of this planning policy ‘gypsies and travellers’ means: Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their families or dependants educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such. [emphasis added]

11. This means that the definition in effect covers all Romany Gypsies and Irish Travellers, whether they have ever travelled or not.

12. The first implication for the Exeter plan is that all the need for non PPTS and ~undetermined will now need to be fully included. The second issue is that the GTAA is now out of date as it will have not properly sought out the needs of persons with a cultural tradition of nomadism or of living in a caravan.

13. This is particularly relevant as the GTAA in our view has failed to properly consider the needs of those in bricks and mortar. The GTAA records at 3.17:

The 2021 Census recorded 15 households that identified as either Gypsies or Irish Travellers who lived in a house or bungalow in Exeter and 10 living in a flat or maisonette.

14. and then at 3.18:

ORS apply a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan Examinations and Planning Appeals. Contacts were sought through a range of sources including...intelligence from the stakeholder interviews; information from housing registers; and other local knowledge from stakeholders

15. The GTAA then records:

6.4 Despite all of the efforts that were made it was not possible to identify any households living in bricks and mortar to interview.

16. This is of concern and means that the needs of G+T who are often forced into housing due to a lack of sites will not have been properly considered.

17. Another related concern is the lack of stakeholder engagement “ it would appear that the Gypsy liaison officer and the Traveller education service at Devon County Council have not been consulted “ this may have led to contact being possible with more Gypsies and Travellers. Furthermore, the research company in question have worked with TravellerSpace on the Cornish GTAA and it is surprising that they were not also consulted.

18. Finally, GTAA at 8.7 states:

Whilst the findings in this report are aggregated totals for the whole of Exeter due to data protection issues, the Council have more detailed data to enable potential Local Plan allocations to be made.

19. It is not clear what this means, the LPA are invited to clarify this issue.

The failure to allocate sites

20. Given that there is unmet need for sites, and this is likely to be an underestimate due to deficiencies in the GTAA and the changes to PPTS, it is surprising that the LPA have not sought to allocate land for sites. This flies in the face of PPTS and in our view means that the plan is currently unsound on this issue. The LPA should at the very least demonstrate that it has considered its own land holdings, and has investigated all other sources of supply.

3.c. Please set out the modification(s) you consider necessary to make this part of the chapter sound, in respect of any soundness matters you have identified at 3.b above. You will need to say why each modification will make this part of the chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.

A robust GTAA

Site allocations for Gypsies and Travellers

4. Do you consider that this part of the chapter complies with the Duty to Co-operate?

No

4.a. If yes, and you wish to support this part of the chapter's compliance with the duty to co-operate, please use this box to set out your comments.

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4.b. If no, please give details of why you consider this part of the chapter fails to comply with the duty to co-operate. Please be as precise as possible.

No evidence of discussion with neighbouring authorities on this issue

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

This is a fundamental issue for the plan which will need to be the subject of suitable discussion