

1. Why is the Council looking to provide Gypsy and Traveller pitches?
 - Legislation requires a local authority to consider the needs of people living in caravans and to then provide for these needs. East Sussex planning authorities commissioned a Gypsy and Traveller Accommodation Needs Assessment that was published in 2016. This concluded a need within Lewes district for 13 permanent pitches; apportioning 8 to within the SDNP and 5 outside of the Park.
2. What is the Part 2 document and where does it fit in the district plan?
 - Local Plan Part 2 will, when adopted, form part of the Development Plan along with Local Plan Part 1 –the Joint Core Strategy (JCS) and ‘made’ neighbourhood plans. The JCS is the overarching strategic policy and sets the amount and spatial distribution of growth for the district. The JCS establishes in policy the requirement to provide 13 Gypsy and Traveller pitches across the district. Local Plan Part 2 contains the small site allocations and detailed development management policies to deliver the spatial objectives and policies of the JCS, which was adopted in May 2016.
3. What are the planning grounds for the allocation?
 - Core Policy 3 in the JCS states that sites to meet the need for 13 pitches will be delivered through Local Plan Part 2 and the SDNPA Local Plan, unless allocated through neighbourhood plans. No neighbourhood plans have sought to address this need.
4. What is the planning history for the site?
 - The site was submitted to the council as a potential development site in 2009 – it was submitted as the whole field (4.4ha) in response to a call for sites for the Strategic Housing Land Availability Assessment. It was filtered out due to proximity to the nearest planning or settlement boundary (more than 500m). The site proponent was written to in 2012 requesting permission to assess the site for Gypsy and Traveller use. Agreement was received and the site was in the 2012 Gypsy and Traveller site assessment. The Council’s Housing Delivery Team in 2017/2018 made us aware the site was still available and we relooked at a different access and a smaller portion of the overall site. The site was then assessed against the criteria in adopted Core Policy 3.
5. The assessment in the 2018 SHLAA shows this site 03PL as ‘Fails proximity Assessment’, and in the ESCC Highways assessment in the Site Allocations and Development Managements Policies Document (August 2018), the word ‘Showstopper’ appears against that site with regard to access. Given these factors... Why did LDC choose this site? On what basis (with reference to its own sustainability criteria)? Why this rural site is deemed suitable for travellers yet not for housing

development (viz NP and pedestrian access, 60mph road, visibility splays, infrequent bus route into Plumpton Green and its amenities)?

- There is a ready supply of potential housing development sites documented in the SHLAA and the application of a filter is necessary to guide the selection of the most sustainable sites. There have been very few sites made available to assess for Gypsy and Traveller accommodation over the last 7 years so we have to look outside this proximity criteria. Since the adoption of the JCS LDC has policy criteria for the assessment of sites for pitch provision - Core Policy 3.
 - The showstopper comment relates to the larger site (4.4ha) with the access from St Helena Lane and midway along the site boundary where the Public Right of Way meets Station Rd – neither access was considered achievable and so highways objections ruled out the larger site.
 - The 2012 assessment (which looked for sites for the full LDC requirement of up to 13 pitches) contains a number of sites within the SDNP where LDC cannot now allocate land; furthermore a number of the sites have since ‘fallen away’ because they are no longer being made available by the landowner.
 - We received no sites through the call for sites between November 2017 and January 2018 and so we re-looked at filtered SHLAA sites again and contacted landowners. We re-consulted ESCC on a revised (existing) access in the southeast corner of ‘Land south of the Plough’ with the purpose of potentially allocating just 0.69ha for 5 pitches (the requirement of the JCS outside of the SDNP); we commissioned speed surveys and have been informed by ESCC that the access is now achievable.
6. Why has the Council not updated its methodology and the 2012 Parker Dann documents in light of the Government’s Planning policy for traveller sites published August 2015? The 2012 assessment is fundamentally flawed as it pre-dates the adopted JCS and Core Policy 3.
- The council does not need to update its methodology; the adopted Core Policy 3 (JCS) provides the assessment criteria for assessing a potential allocation or for assessing a planning application for pitch provision. There is only one suitable site currently available and it has been assessed against Core Policy 3 with the help of ESCC and found to be suitable; in 2012 the larger site (4.4ha) scored relatively well (25 with the highest score 29) and under that same methodology today the smaller site with revised access would have an increased score of 27. The Council does not need to revert to the 2012 assessment criteria – this was part of the evidence base for the Examination of the JCS and Core Policy 3 was found sound; now as adopted

policy this is the standard against which any planning application or site allocation would need to be assessed.

- All planning policies within the Plan are also considered through the Council's Sustainability Appraisal incorporating Strategic Environmental Assessment.

7. Why is this site the only site being taken forward?
 - This is the only remaining site available for this use that is considered deliverable, other sites that were assessed are either within the SDNPA, where LDC cannot allocate, or are no longer available for this use.
 - If other sites are submitted during this consultation we will include them as omission sites for the Inspector to consider whether they should be allocated. If the Inspector considers they should be allocated we will have to consult on them as 'main modifications' prior to receiving a final report from the Inspector.
8. Is this a rural exception site/affordable site as per the Government's Planning policy for traveller sites?
 - No not specifically. The site is being assessed against Core Policy 3 criteria within the adopted JCS.
9. What other sites are being planned?
 - The SDNPA has two allocations in their Local Plan within Lewes district, 1 pitch in Kingston and 4 additional pitches in Offham.
10. Who will own the site? Will LDC purchase it, lease it from the current owner, or 'broker' its sale to the travellers? Is the arrangement for perpetuity?
 - We understand from the landowner that the site will need to be purchased and LDC is looking into the funding and government grants available to deliver the allocation. It is highly likely the site would remain either in LDC ownership or be transferred to ESCC – it is not anticipated to become a private site; due the costs of delivery it will remain in public ownership and be rented through licence agreements.
11. Has the Council got an agreement with the current landowner in place? Does any such agreement include a firm understanding on purchase price, and how much?
 - The council has an agreement in principle to put the allocation forward within the Plan; the site allocation needs to be scrutinised by the examining Inspector before it can formally be adopted as policy. LDC is looking at funding options to deliver the site and this includes site purchase.
12. What is LDC's relationship/responsibility towards the residents of the site? Who will select residents and how? On what basis will they live there (tenants)? Who will be eligible to live there (categories of 'traveller'). What is the capacity on five pitches? Will it increase?
 - LDC has a duty to all its residents to provide safe and secure homes, either in the private sector or public sector owned.

ESCC will manage the site; ESCC will select and vet potential future occupants who will live there under licence agreements on a rental basis. One licence holder per pitch with the addition of immediate family members (partner/spouse or dependent children) with the licence holder's permission. By way of a guide ESCC currently have no Irish Travellers on any of the permanent sites and the current site residents often refer to themselves as "English Gypsies". There is a full description of Gypsies and Travellers appended.

13. What activities would be permitted? Will residents be permitted to operate businesses from the site? What oversight would there be?
 - There is nothing in ESCC licence agreement to stop a business being run on the site, but there are certain behaviours and activities that are not allowed which would prevent this. ESCC do not however allow businesses to be run from any of their ESCC sites. Activities not permitted by licence include operation involving the break up of motor vehicles, scrap or other materials. ESCC monitor the site with biweekly visits and through their licence agreements are able to take enforcement action for non-compliance.
14. What permitted development rights would the site owner, if not the council, have for the site?
 - None, the occupants would be renting from ESCC and not site owners.
15. Why select a site where there is no street lighting, no pavement no sewage or amenities and the local shop is a mile's walk away?
 - There are whole villages in the district with no street lighting. There is very limited choice for sites and each site that may come forward is/will be assessed against CP3 (this could be for public or private ownership). This site meets the requirements of CP3, including reasonable access to services. Whilst there are some elements, such as no access on foot to services that are not ideal with this site, this does not prevent the site meeting the overall criteria. Not all ESCC-managed permanent sites have access on foot to services. Mitigation may be achievable and discussions are underway with ESCC regarding potential for a footpath to the bus stop. Reduced speed limits along Station Rd are also a possibility, although average speeds from the speed survey are significantly less than 60mph. On-site waste disposal, e.g. cesspit, is possible for foul wastewater and sewerage. The 2012 site assessment recognised that the site would provide good amenity for future occupants and today's assessment concurs with this conclusion.
16. It is considered that this allocation is in direct conflict with Core Policy 4 in terms of safeguarding existing employment sites and supporting economic growth in rural areas and Core Policy 6 in terms of supporting the rural economy and supporting local shops. How can Lewes District Council justify this conflict?

- We are listening to your concerns but have no evidence to demonstrate that a well-managed, authorised Gypsy & Traveller site would be incompatible with local employment uses. There will be an opportunity for local residents and businesses to put forward their arguments about economic viability at the Examination in Public and an independent Inspector will consider these arguments and reach a conclusion about whether Policy GT01 is sound.
17. Does this site allocation conflict with Core Policy 10? In particular we are concerned about ancient woodland and hedgerows?
- We have no evidence to demonstrate that ancient woodland or important hedgerows would be affected by the proposal.
18. Does this site allocation conflict with Core Policy 11, which requires a satisfactory environment for existing and future occupants? The proposed allocation is next to an industrial estate.
- These uses are operating without detriment to the health and safety of the occupiers of existing residential properties in close proximity to the site. We have no evidence to suggest that a permanent Gypsy and Traveller site would be affected any differently.
19. Who decides and what is the decision making process?
- The Council (all elected members) will be asked for permission to submit Local Plan Part 2 to the Planning Inspectorate. If that permission is granted the Plan will be submitted to the Secretary of State for a formal Examination in Public conducted by the Planning Inspectorate. If found sound and legally compliant the Council (all elected members) will be asked whether they wish to adopt the Plan – it is ultimately a Council decision.
20. Who sees the representations?
- The Council has had to redact parts of responses and will not be able to publish full responses where to do so would contravene the Public Sector Equality Duty (s149 of the Equality Act 2010). Any statement that generalises a behaviour or an attribute to an entire group based on a protected group under their ethnicity would be inappropriate to publish. The Council's Equality and Fairness Policy that defines how we will meet our statutory duty says "*we will eliminate unlawful discrimination, harassment and victimisation*"
 - Although a representation purports to be factual, rather than expressing an opinion, its inclusion could be seen to be racial stereotyping of a type likely to be considered offensive by those with a protected characteristic, or others.
 - It would appear that the purpose of including this information is to suggest the same would happen again because of the 'type of person' inhabiting a Gypsy and Travellers site, not just the 'type of development'
 - The Inspector will only see what we publish; it is important to note that in all cases there is not 100% redaction. Therefore in

the main a respondent's position is still clear but their reasoning for that position may be redacted if to publish it in full would contravene our Public Sector Equality Duty.

Who are 'Gypsies and Travellers'?

The terms Gypsies, Travellers and Roma can be confusing for practitioners. If we want to provide genuinely person centred care it is vital that we understand these terms and apply them correctly. At the same time, it is important that we also recognise that there can be significant cultural and practical differences between individuals within defined groups and whilst having regard for correct group identities, we also endeavour to treat people as individuals. A person's ethnic identity can only be used as a rough guide as to what their culture or traditions might be and we must ensure good listening so that people are able to share information without fear of being stereotyped.

Here is a guide to correct use of the relevant terms within UK society.

Romany Gypsies – Whilst the origins of Gypsy people are still open to some debate it is generally agreed that there is a group or groups of people who left India over a thousand years ago and dispersed across the globe. Along the way they were defined (usually by others) as being 'Egyptian' and this has become shortened to Gypsy. Gypsy people began occurring in UK records in the 16th Century and have settled here ever since. Romany is the word that Gypsy people in England and Wales apply to themselves hence the term 'Romany Gypsy'. This term is not used to describe more recent incomers to the UK from Central and Eastern Europe, generally described as Roma (see below). It's important that the difference between these terms is understood and that the words 'Romany' and 'Roma' are not used interchangeably. The word 'Romanian' is also sometimes confused with Romany or Roma. Romanian describes people whose nationality is Romanian ie from Romania). Romany Gypsies are recognised as an ethnic minority group in UK Law (Race Relations Act (amended) 2000 and Equalities Act 2010)

Scottish Gypsy Travellers – Travelling people in Scotland, whilst sharing much in common with other Travelling groups have recently been recognised as a separate ethnic group in Scotland. The origins of Scottish Gypsy

Travellers may be linked to Romany Gypsies *and* Irish Travellers as well as having some distinct routes of their own.

Irish Travellers – Irish Travellers, whilst having much in common in terms of lifestyle and to some extent shared history with Romany Gypsy and Scottish Gypsy Traveller people, have a different ethnic route and do not come originally from India. The best evidence available suggests that Irish Travellers (or Pavee as they refer to themselves) have been a distinct ethnic group within Irish Society, possibly for millennium. Whilst the numbers of people living as Travellers in Ireland may have swelled during the so called 'potato famine', it is clear that this distinct group existed long before this time. Irish Travellers are recognised as a distinct group in UK law as above.

Roma – the word Roma is used as a catch-all term for European 'Gypsies'. It is acceptable usage in the UK although it might be useful to know that in fact there are several distinct groups of people including Roma, Manouche, and Sinti, of Central and Eastern Europe and the Jeniche people of Switzerland and Germany. During the past 50 years increasing numbers of Roma people, particularly from Eastern Europe, have migrated to the UK. Indeed in some cities there are now more European Roma people than there are Romany Gypsies and Irish Travellers. Whilst having some aspects of culture in common with Romany Gypsies and Irish Travellers it is important to note that a differing political context across Europe, (including the rise and fall of communist states), have led to significant differences in lifestyle and outlook.

Showmen – Families with a tradition of living and working in travelling fairs are usually described as Showmen. This group has not campaigned to be recognised as an ethnic group, preferring to be regarded as a trade group – many are members of the 'Showmen's Guild'. Showmen are recognised in UK law, particularly planning law. **Circus People** can be regarded as similar to Showmen although the trades are often different.

Bargees – Bargees are people who live on the canals in the UK. Some Bargee families can trace their families back many generations, some families are linked to other Travelling groups such as Romany Gypsies and some are less ethnically connected having taken to the canals in more recent decades.