



London Borough of Enfield

Report title:	Regulation 18 Consultation on the Draft Traveller Local Plan (TLP)
Report to:	Council
Date of Meeting:	18 September 2024
Cabinet Member:	Cllr Ergin Erbil
Directors:	Perry Scott, Executive Director of Environment and Communities Brett Leahy, Director Planning and Growth
Report Author:	May Hope, Head of Strategic Planning and Design
Ward(s) affected:	All
Key Decision Number	KD 5758
Classification:	Part I Public

List of acronyms used:

EiP	Examination in Public
ELP	Enfield Local Plan
EqIA	Equalities Impact Assessment
HRA	Habitats Regulations Assessment
IIA	Integrated Impact Assessment
LP2021	London Plan 2021
NPPF	National Planning Policy Framework
Reg-18	Regulation 18 or Issues and Options
SA/SEA	Sustainability Appraisal/Strategic Environmental Assessment
TLP	Traveller Local Plan

Purpose of Report

1. To seek approval for the Draft Traveller Local Plan (TLP) to proceed to consultation under Regulation 18. This report outlines the proposed site allocations and policies designed to meet the accommodation needs of the Traveller communities in the borough up to 2041. The consultation aims to gather feedback from all stakeholders to ensure a comprehensive and inclusive planning process.

Recommendations

Council is asked to:

- i. Approve the Draft Traveller Local Plan (TLP) 2019-2041 and its supporting documents (Appendix A) for publication for a six-week period of public consultation, in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- ii. Note the content and conclusions of the Equality Impact Assessment (set out in Appendix B) and Integrated Impact Assessment (Appendix C).
- iii. Note the legal and financial implications set out in paragraphs 29 –34 of this report.
- iv. Delegate authority to the Director of Planning and Growth to make minor amendments to the document in Appendix A prior to the commencement of the consultation period under Regulation 18, to address any editorial errors including typographical errors to ensure consistency and clarity.
- v. Delegate authority to the Director of Planning and Growth to commence consultation under Regulation 18 as soon as reasonably possible.

Background and Options

2. The London Borough of Enfield (LBE), like all Local Planning Authorities, is required by Central Government to assess the accommodation needs of Gypsies and Travellers and develop a strategy to address these needs. The Traveller Local Plan (TLP) outlines how these needs will be met over the next 15 years, up until 2041.
3. As set out in the Council's Local Development Scheme¹, this Draft Plan represents the next step in the plan-making process. It includes proposed site allocations and draft policies designed to meet the identified needs of Traveller communities in the Borough. All communities are invited to submit comments on the content of this Draft Plan and the supporting documentation.

¹ https://www.enfield.gov.uk/data/assets/pdf_file/0017/60137/Local-development-scheme-2024-Planning.pdf

4. The term 'Travellers' encompasses a diverse range of people and groups with different histories, cultures, and beliefs, including English Romany Gypsies, Irish and Scottish Travellers, European Roma, 'New Age' Travellers, and Travelling Showpeople. For the purposes of this Draft Plan, any reference to 'Travellers' includes Gypsies (including Roma), Travellers, and Travelling Showpeople. A glossary of terms is available in Appendix A of the Draft Plan.
5. LBE recognises that failing to allocate sufficient land to meet the identified needs of Travellers would negatively impact all communities in the Borough. It would make it harder to resist future speculative planning applications for temporary planning permission and more challenging to take effective enforcement action against unauthorized encampments. Additionally, it could result in more sites being permitted through the planning appeal process.
6. Once adopted, the TLP will set out how LBE will meet the future accommodation needs of Traveller communities. The TLP will form part of the Development Plan for Enfield, alongside the London Plan (2021), the North London Waste Plan (2022), the Hadley Wood Neighbourhood Plan (2023), and the new Enfield Local Plan. The TLP will apply to the whole of the Borough of Enfield.

Previous consultation (Issues and Options)

7. In Autumn 2023, LBE consulted on the initial issues and options for the TLP. The consultation document outlined the purposes of the TLP, explained the plan-making process, and presented a series of options for addressing the accommodation needs of Traveller communities in the Borough.
8. Alongside the Issues and Options consultation document, the Council:
 - Published an Integrated Impact Assessment (IIA), which considered and reported on the likely significant sustainability issues and effects associated with the emerging TLP.
 - Issued a further call for sites.
 - Contacted adjoining planning authorities under the Duty to Cooperate, asking whether they could assist LBE in meeting the identified needs for Traveller accommodation.
9. The consultation yielded ten responses, including one under the Duty to Cooperate. The feedback received has been summarised in the TLP Consultation Statement, which can be viewed alongside this Draft Plan.
10. In response to the call for sites, two sites were formally submitted for consideration: Bulls Cross Nursery and Durant's Park. An additional seven sites were submitted after the consultation on issues and options had concluded. All nine sites are Council-owned. Further information on each site is provided in Section 6 of the Draft TLP.

11. The Consultation Statement published alongside the Draft TLP explains how the issues and options consultation was undertaken and summarises the responses received. It also provides the justification and decision-making around the preferred options. Notably, Durants Park was removed from consideration due to a restrictive covenant, which limited its availability for development. Additionally, despite efforts to identify private sites, no viable options were put forward during the consultation process.

Planning Policy and Evidence

12. In December 2023, the Government reverted to the definition of Gypsies and Travellers as set out within Annex 1 of the 2012 Planning Policy for Traveller Sites (PPTS). This definition encompasses persons of nomadic habit of life, including those who have ceased to travel temporarily or permanently due to health, education, or old age reasons. Similarly, the definition for Travelling Showpeople is provided, distinguishing between residential pitches for Gypsies and Travellers and mixed-use pitches for Travelling Showpeople.
13. The Draft Plan therefore considers Gypsies and Travellers living on pitches within sites, while Travelling Showpeople live on plots within yards.

Enfield Gypsy and Traveller Accommodation Needs Assessment (GTANA)

14. The decision to extend the TLP period to 2041, aligning with the emerging Enfield Local Plan, necessitated extending the need forecasting within the existing Gypsy and Traveller Accommodation Needs Assessment (GTANA) by an additional two years. This ensures that the Plan looks forward at least 15 years from the date of adoption, as required by the National Planning Policy Framework (NPPF).
15. An update to the existing GTANA (2020)² was commissioned, resulting in the GTANA (2024)³. This updated assessment includes 2021 Census data and removes references to the 2015 Planning Policy for Traveller Sites' 'nomadic habit of life' definition, in light of the Government's reversion to the 2012 definition following the Lisa Smith Court of Appeal judgment in 2023. The updated GTANA (2024) can be viewed alongside this Draft Plan.

London-wide GTANA

16. In addition to the Enfield GTANA (2024), the Greater London Authority (GLA) has commissioned a London-wide GTANA, currently underway with findings expected in autumn 2024. This assessment provides a robust evidence base for policy development in housing and planning across London, including a breakdown by borough.
17. The London Borough of Enfield is working closely with the GLA on this forthcoming assessment. The needs identified in the London-wide assessment are expected to align with those in Enfield's updated GTANA (2024).

² https://www.enfield.gov.uk/_data/assets/pdf_file/0023/5684/enfield-gypsy-and-travellers-assessment-final-report-2020-planning.pdf

³ <https://www.enfield.gov.uk/services/planning/emerging-plans#traveller-local-plan>

Enfield Local Plan

18. The Enfield Local Plan (ELP) sets out the amount and types of new development required in the Borough to meet the needs of local residents and businesses and allocates sites to accommodate this growth. It also includes a range of policies and guidance to manage the form and quality of new development. The ELP is anticipated to be adopted before the TLP, as the ELP has recently been submitted for independent examination.
19. Draft Policy H10 (Traveller Accommodation) within the emerging ELP sets out LBE's strategic commitment to meeting the identified Traveller accommodation needs through a separate TLP. Draft Policy H10 also outlines a series of assessment criteria against which proposals for transit pitch provision, permanent pitch provision, and plots for Travelling Showpeople will be assessed. These criteria include:
 - Location and connectivity
 - Impact on the environment and heritage
 - Occupational suitability
 - Safe access
 - Integration with the surrounding area
 - On-site utility provision
20. The criteria related to the suitability of a site for transit pitch provision, permanent pitch provision, and plots for Travelling Showpeople will only apply to sites not allocated in the TLP. This is because the principle of development on sites allocated in the TLP has already been established following detailed assessment during the TLP preparation process. Criterion f and g of Draft Policy H10 will apply to all proposals for transit pitch provision, permanent pitch provision, and plots for Travelling Showpeople, ensuring the development is appropriately integrated with its setting and that on-site utilities are provided.

The findings of the GTANA (2024)

21. The 2024 GTANA identifies a need for 30 additional Gypsy and Traveller pitches in Enfield from 2020/21 to 2040/41, with 16 pitches required by 2024/25 and 14 additional pitches needed from 2025/26 to 2040/41. Additionally, there is a need for a transit site to accommodate at least 15 caravans. Currently, there is no evidenced need for additional plots for Travelling Showpeople.

Traveller Local Plan

22. To meet these needs, the Council has explored various options, including consultations with adjoining authorities, multiple call for sites exercises, and a comprehensive review of Council-owned land. Nine Council-owned sites have been identified and assessed for Gypsy and Traveller provision. Additionally, the strategic rural placemaking areas of Chase Park and Crews Hill have been included to potentially help meet longer-term pitch

needs. This approach ensures a mix of immediate and long-term solutions, leveraging both existing Council-owned sites and future strategic allocations.

23. The TLP and Enfield Local Plan (ELP) policies provide a flexible framework for assessing proposals on non-allocated sites, allowing adjustments based on emerging needs and site availability. The proposed plan includes specific site allocations and policies designed to ensure sustainable, safe, and integrated development for Traveller communities, aligning with statutory requirements and supporting the Borough’s commitment to providing fair and adequate accommodation.

Key provisions of the Draft TLP

Site allocations: proposes specific sites for permanent and transit Traveller provision:

- Bulls Cross Nursery: 10 pitches
- Land adjacent to the Ridgeway: 22 pitches
- Land off the A10, as a Transit Site for 15 caravans.

Site allocations: Pitch requirement allocated to Chase Park (10+ pitches) and Crews Hill (10+ pitches), that should be planned for through the required masterplanning processes for each place-making area, but the delivery of these pitches will only be required if it has not been possible to meet the long-term pitch needs through other means.

Design and Site Layout Policies: Ensuring sites are well-planned with adequate amenities and safety measures.

Monitoring and Implementation: Regular updates and monitoring to ensure the plan meets its objectives.

Possible alternatives to the recommendation

24. Possible alternatives to the recommendation are set out in Table 1 below:

Table 1: Options considered, and risks associated with each:

Options		Risks
A	No action	One option is to take no action and not to progress with a Traveller Local Plan. This would result in the Council failing to meet its statutory obligations under the Planning Policy for Traveller Sites and the National Planning Policy Framework (NPPF). It would also leave the Borough without a strategic approach to meeting Traveller accommodation needs, increasing the risk of unauthorised encampments and speculative planning applications. This option is not recommended as it would have significant legal and social implications.

Options		Risks
B	Rely on adjoining authorities	The Council has explored the possibility of adjoining authorities accommodating some of Enfield's Traveller needs under the Duty to Cooperate. However, responses from neighbouring councils, such as the London Borough of Redbridge, indicated that they do not have the capacity to meet Enfield's unmet needs. This option is not viable as it does not provide a sustainable solution to Enfield's specific requirements.
C	Allocate sites exclusively within Council-owned land	Another option considered was to allocate sites exclusively within Council-owned land. Following a comprehensive review, nine Council-owned sites were identified and assessed for Traveller provision. However, these sites alone may be insufficient to meet the identified needs, and some sites face significant constraints such as being within the Green Belt or Metropolitan Open Land (MOL). Therefore, while Council-owned land is a crucial component, it may not be the sole solution.
D	Comprehensive approach with strategic allocations	The preferred option is a comprehensive approach that includes both Council-owned sites and strategic allocations within the broader placemaking areas of Chase Park and Crews Hill. This approach allows the masterplanning process to identify suitable locations for pitch provision within these strategic areas, but with delivery in the longer-term only if needed (once the actual number of pitches deliverable at Bulls Cross and on land adjacent to the Ridgeway has been determined). This option balances immediate needs with long-term planning and provides flexibility to adjust as circumstances change.

25. The Draft Traveller Local Plan (TLP) is designed to meet the immediate and long-term accommodation needs of Gypsies, Travellers, and Travelling Showpeople in Enfield. The comprehensive approach includes both immediate site allocations and strategic long-term planning through masterplanning processes. The proposed policies ensure sustainable, safe, and integrated site development while maintaining flexibility to adapt to changing needs and circumstances. This approach aligns with statutory requirements and supports the Borough's commitment to providing fair and adequate accommodation for Traveller communities.

Relevance to Council Plans and Strategies

26. The TLP is integral to achieving the priorities set out in the Enfield Council Plan 2023-26, which focuses on creating a cleaner, greener and more inclusive borough. Specifically, the TLP supports the following strategic priorities:

Clean and Green Places: By carefully selecting and designing Traveller sites, the TLP aligns with the Council's goals to enhance biodiversity, protect open spaces, and promote sustainable development practices.

Strong, Healthy and Safe Communities: The TLP's provision for safe and well-designed Traveller sites contributes to the broader aim of improving community safety and wellbeing. Properly planned sites help reduce unauthorised encampments and associated antisocial behaviour, thereby fostering safer communities.

More and Better Homes: The TLP directly addresses the Council's commitment to providing more high-quality, affordable homes. By meeting the specific accommodation needs of the Traveller communities, the TLP ensures that all residents have access to suitable housing.

An Economy that Works for Everyone: Ensuring stable and suitable accommodation for Traveller communities supports broader economic inclusion and stability, allowing all residents to contribute to and benefit from Enfield's economic growth.

27. Overall, the TLP not only meets statutory requirements but also aligns closely with Enfield's vision of a fairer, greener, and more sustainable borough as outlined in the Council Plan 2023-2026.

Financial Implications

28. Funding for the Traveller Local Plan has already been secured, covering staffing and expenses related to public consultation. These costs will be met within the Strategic Planning and Design service's existing budget and the Local Plan reserve, which includes funding for specialist external support required for the preparation of technical evidence base documents.

Legal Implications

29. The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the main steps in the procedure for the production and adoption of planning documents.
30. This report seeks the approval the Draft Traveller Local Plan 2019-2041 and its supporting documents for publication for a six-week period of public consultation under Regulation 18.
31. The report also asks Council to delegate authority to the Director of Planning and Growth to make minor amendments to the document prior to the commencement of the consultation period under Regulation 18 and to commence that consultation period as soon as practicable.
32. The Council must be able to show, in due course, that the TLP has been prepared with the objective of contributing to the achievement of sustainable development. To this end, the TLP will need to be consistent

with the policies in the National Planning Policy Framework as well as any associated guidance in the PPG. The current draft TLP does comply with the necessary statutory requirements.

33. As discussed in the next section and the detailed Equalities Impact Assessment a number of groups with protected characteristics will be impacted by the TLP and this will be closely monitored throughout the process.
34. The recommendations set out in the report are within the Council's powers and duties.

Equalities Implications

35. The Equality Act 2010 ('2010 Act') establishes the public sector equality duty which requires, that in the context of the local plan process, regard must be given to the need to eliminate unlawful discrimination, harassment and victimisation (and other conduct prohibited by the Act), advance equality of opportunity between people who share a protected characteristic and those who do not, and foster good relations between people who share a protected characteristic and those who do not. The requirement is to have due regard to achieve these goals, not an absolute duty to achieve them.
36. The extent of the duty, and the weight attached to it, will be dependent on the nature of each decision and the circumstances in which it is made. Council is required to understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision.
37. The proposed TLP aims to address the accommodation needs of Gypsies, Travellers, and Travelling Showpeople in Enfield Borough up to 2041. This initiative is critical for ensuring that the Council complies with government requirements and meets the diverse needs of these communities and complies with its legal obligations that the Gypsies, Travellers, and Travelling Showpeople are afforded their Article 8 Rights pursuant to European Convention of Human Rights pursuant to the Court of Appeal decision in *The Mayor and Burgesses of the London Borough of Bromley v Persons Unknown* [2020] EWCA Civ 12 and endorsed by the Supreme Court in *Wolverhampton City Council and others (Respondents) v London Gypsies and Travellers and other (Appellants)* [2023] UKSC 47. The TLP includes site allocations and policies designed to provide stable, secure housing and support the integration of Traveller communities into the wider society.
38. The plan has significant equality implications, particularly for socio-economically disadvantaged groups, including Travellers. These communities often face substandard living conditions, limited access to essential services, and social exclusion. By providing secure housing and better access to healthcare, education, and employment opportunities, the TLP aims to improve their quality of life and promote social inclusion.
39. Regular monitoring and assessment will ensure that the plan remains responsive to the evolving needs of these groups, promoting equality and fostering a diverse and inclusive community in Enfield. In respect of the

Traveller Local Plan an Equality Impact Assessment has been carried out (see Appendix D).

Environmental and Climate Change Implications

40. The Draft Traveller Local Plan (TLP) has been developed with careful consideration of its environmental and climate change implications. Several proposed sites, such as Bulls Cross Nursery and Land Adjacent to the Ridgeway, are within the Green Belt, requiring exceptional circumstances for development. To mitigate environmental impacts, these developments will include measures to preserve existing trees, enhance green spaces, and employ sustainable land use practices. Additionally, the Integrated Impact Assessment (IIA) and Habitat Regulations Assessments (HRAs) will help ensure that local biodiversity and habitats are protected and enhanced.
41. In terms of climate change, the TLP sustainable building practices and the use of brownfield sites are encouraged to reduce the pressure on undeveloped green spaces.
42. New Traveller sites will be designed to be resilient to climate change impacts, such as increased flooding and extreme weather events. Sustainable drainage systems (SuDS) will be employed to manage surface water runoff and reduce flood risks, through the emerging Enfield Local Plan policies. Additionally, green infrastructure and landscaping will be integrated into site designs to provide shade, mitigate urban heat island effects, and enhance local climate resilience.
43. Monitoring and mitigation efforts are integral to the TLP's implementation. The plan includes a monitoring framework to track key indicators related to biodiversity, carbon emissions, and climate resilience. Any adverse impacts identified will be addressed through adaptive management strategies, ensuring the TLP positively contributes to Enfield's environmental and climate objectives while promoting sustainable development and enhancing residents' quality of life.

Public Health Implications

44. The Draft Traveller Local Plan (TLP) has several public health implications, particularly in promoting healthier living environments and reducing health disparities among Traveller communities. Key public health considerations include access to healthcare, environmental health, social determinants of health, and mental well-being.

Access to Healthcare

45. The TLP aims to improve access to healthcare services for Traveller communities by ensuring that new sites are well-located in terms of proximity to healthcare facilities. This includes primary care services, hospitals, and community health centres.

Environmental Health

46. Ensuring that Traveller sites are developed with proper sanitation, waste management, and clean water supply is essential for preventing

communicable diseases and promoting overall health. Additionally, the use of sustainable building materials and green infrastructure will contribute to healthier living environments by reducing exposure to pollutants and enhancing air quality.

Social Determinants of Health

47. The TLP recognises the importance of social determinants of health, such as housing quality, education, employment opportunities, and social cohesion. By providing stable and well-planned housing for Traveller communities, the plan aims to reduce the negative health impacts associated with inadequate housing conditions, such as overcrowding and lack of amenities. Moreover, the integration of Traveller sites into broader community planning can enhance social inclusion and access to educational and economic opportunities, thereby improving overall health outcomes.

Mental Well-being

48. Stable and secure housing has a profound impact on mental well-being, reducing stress and anxiety associated with housing insecurity. The design of Traveller sites to include green spaces and recreational areas can further promote mental health by providing opportunities for physical activity, relaxation, and social interaction. Ensuring that Traveller communities feel safe and integrated within the wider community also helps reduce the stigma and discrimination that can adversely affect mental health.
49. In summary, the Draft Traveller Local Plan is designed to address key public health issues by improving access to healthcare, enhancing environmental health, addressing social determinants of health, and promoting mental well-being. These measures collectively contribute to healthier, more inclusive, and sustainable living environments for Traveller communities in Enfield.

Property Implications

50. The submission recommends planning policies that, once adopted, could apply to a variety of properties/sites within the estate owned by the Council. The submission of the report itself for consultation and public examination is likely to have positive implications for some General Fund corporate property/sites in terms of the material weight attached to proposed policies. If the plan is adopted, there is likely to be positive future property implications arising on some properties/sites that would be considered on a case-by-case basis as and when future projects are developed.

Crime and Disorder Implications

51. The TLP has several implications for crime and disorder, primarily focused on fostering safer communities and reducing crime through well-planned and integrated site developments.

Enhanced Community Safety

52. One of the key objectives of the TLP is to enhance community safety by providing stable and secure housing for Traveller communities. Properly designed and managed Traveller sites can significantly reduce the incidence of unauthorised encampments. By allocating specific areas for Traveller accommodation, the TLP aims to minimise conflicts with local residents and reduce the need for enforcement actions.

Design and Layout Considerations

53. The Draft TLP incorporates several design and layout considerations to enhance safety and reduce crime and disorder. Key elements include providing safe access and minimising vehicle-pedestrian conflicts, ensuring effective boundary treatments and landscaping for privacy, and designating safe play areas for children. Restrictions on heavy vehicles and commercial activities, combined with adequate utility infrastructure and appropriate lighting, contribute to a secure and well-maintained environment. Specific provisions for Travelling Showpersons ensure organised storage and maintenance of equipment, further promoting a safe, cohesive, and integrated community that aligns with crime prevention principles.

Community Integration

54. The TLP promotes the integration of Traveller sites within broader community settings, fostering social cohesion and reducing social tensions. By ensuring that Traveller sites are not isolated but are part of mixed-use developments with access to local amenities, education, and employment opportunities, the plan aims to reduce the social exclusion that can contribute to crime and antisocial behaviour. Integrated communities are more likely to support each other and work together to maintain a safe environment.
55. In summary, the Draft Traveller Local Plan incorporates comprehensive measures to enhance community safety, promote social cohesion, and reduce crime and disorder. Through thoughtful design, effective policing, and community integration, the TLP aims to create safer and more inclusive environments for Traveller communities in Enfield.

Procurement implications

56. Any related procurements to this requirement must be undertaken in accordance with the Councils Contract Procedure Rules (CPR's) and the Public Contracts Regulations 2015, along with the Council's Sustainable and Ethical Procurement Policy. To note that the Procurement Act 2023 is expected to be in place from October 2024, and this legislation will need to be followed for applicable projects if in force and applicable.
57. Any individual projects which exceed £100K for and goods and services or £2.5M for works will need to go through the Procurement Services Assurance process and the necessary Gate Report prepared for endorsement. The lead officer within the Service Area must keep records of approvals to proceed with the proposed awards to evidence compliance with the rules.

58. The procurement and award of any contracts, including evidence of authority to award, promoting to the Council's Contract Register, and the uploading of the finalised contracts must be undertaken on the London Tenders Portal including future management of the contract and uploading of award details to Contracts Finder where required.

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Date: 6 September 2024

Appendices

- **Appendix A:** Traveller Local Plan – Regulation 18 draft consultation (September 2024)
- **Appendix B:** Enfield Council Equalities Impact Assessment (July 2024)
- **Appendix C:** Integrated Impact Assessment (September 2024) and Traveller Local Plan Evidence Base
<https://www.enfield.gov.uk/services/planning/emerging-plans#traveller-local-plan>