

Housing & Planning Delivery Grant (HPDG)

Consultation on allocation mechanism

Response from the Building & Social Housing Foundation (BSHF)

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Gypsy and Traveller accommodation

As stated in the consultation document, the aim of the HPDG is to “incentivise local authorities to improve delivery of housing and other planning outcomes.” In its recent report, *Out in the Open: providing accommodation, promoting understanding and recognising rights of Gypsies and Travellers*, BSHF has highlighted the desperate levels of housing need amongst Gypsies and Travellers, and the need to provide such an incentive to help to deal with this need.

According to the Government’s own figures from caravan counts 21 per cent of Gypsies and Travellers who live in caravans have no lawful place to park their caravans. Not only does this make them legally homeless, under the terms of Part VII of the Housing Act 1996, it also makes them homeless in a very practical sense, forever at risk of being moved on. This homelessness contributes to the shocking health and education outcomes of Gypsies and Travellers, making it harder for them to consistently access vital services that they would be more able to from the basis of an authorised pitch.

A lack of sufficient numbers of authorised pitches also has an impact upon members of the settled community; naturally, if there is no authorised pitch a Gypsy or Traveller will have to resort to an unauthorised pitch. Unauthorised pitches are usually not serviced in the way that well-run authorised sites are so result in issues such as waste that is not routinely collected.

The need for incentives

Racism against Gypsies and Travellers is still widespread, and proposals to create more authorised pitches for caravans routinely face campaigns from members of the settled

community living near the proposed site. All other things being equal, many local councillors take the position that it is politically expedient to prevent authorised Gypsy and Traveller developments in their area; an additional incentive is clearly necessary to help sway those making decisions to allow suitable developments.

The levels of homelessness amongst Gypsies and Travellers are disproportionately high, while the amount of land that would be required to solve this problem is disproportionately small. This situation calls for a disproportionate response; if the incentive provided is only proportionate to the numbers of Gypsies and Travellers as a proportion of the UK population it will represent a vanishingly small part of the grant which authorities will happily sacrifice. Instead, in reflecting the fact that the amount of land needed is so small, the mechanism should allow no excuses for failure to properly address the delivery of Gypsy and Traveller accommodation, and make a substantial part of the grant contingent on it.

Reponses to specific questions

Q1. Do you agree with the principle of rewarding a 5 year supply of deliverable sites for housing?

The principle seems sounds, as long as Gypsy and Traveller sites are included as part of the supply identified. In light of the issues outlined above, a significant portion of the “assessment and identification of land” element of the Grant should **only** be obtainable by those authorities that have identified a sufficient supply of deliverable land for Gypsy and Traveller accommodation.

The proportion must be high enough to ensure that a sufficient incentive is provided to local authorities that would otherwise be reluctant. It has been estimated that less than one square mile of land in the whole of England would be sufficient to provide authorised pitches for all those caravans currently resorting to unauthorised sites. Since the size of this challenge is so small in absolute land requirement terms, but so important to the groups affected, there should be no excuse for authorities failing, and yet under various systems there has been a historic failure to provide sufficient sites; consequently the implications for failure must be such that they present a clear incentive to authorities.

One way of providing this incentive would be to reduce the level of this element of the grant they would otherwise receive by a substantial proportion, say, 50% if they fail to meet the requirements for ensuring sufficient identification of supply of sites for Gypsy and Traveller accommodation.

Alternatively, a reduction could be applied on a sliding scale such that the level of grant an authority is due to receive under the calculation of conventional housing would be reduced in proportion to their failure to identify sufficient sites for Gypsy and Traveller accommodation. For example, an authority meeting only 75% of their Gypsy and Traveller site requirement

would have this element of their grant reduced by 25%; an authority failing to meet any of their need to identify sites would receive nothing for this element of the grant.

Responses to potential counter-points:

It could be claimed that the penalties proposed above would represent a disproportionate fall in grant for such a small issue. The response to this is that due to the small amount of land required it should represent a proportionately small challenge to the authority to remove the threat of this reduction.

It could be suggested that following the introduction of ODPM Circular 01/2006 a new system is in place which should ensure sufficient future provision of sites anyway. The response to this is that the system in place under Circular 01/2006 has not yet been fully tested by the passage of time, so it is unproven. If sufficient sites are forthcoming under that process the above proposals will not provide any hindrance and authorities will as a result of their other activities automatically find the threat of the reduction removed. If it transpires that in spite of the Circular some recalcitrant authorities fail to meet their obligations, the proposals above will act to strengthen and support the intentions of the Circular.

Q2. Do you agree with the principle of enhanced grant for demonstrating a 5 year supply of deliverable sites for housing where the authority has also identified 15 years of deliverable, developable and/or broad locations of housing sites?

As with the principal 5 year supply reward, any such enhancement should also reflect the identification of 15 years of sites for Gypsy and Traveller pitches.

Q3. Do you agree with the principle of rewarding local planning authorities for the delivery of priority Development Plan Documents?

In line with ODPM Circular 01/2006, Development Plan Documents (DPDs) should properly address the need for Gypsy and Traveller accommodation. They should “include fair, realistic and inclusive policies to ensure identified need is dealt with fairly and effectively” and “identify the location of appropriate sites.”

A substantial element of the grant element for delivering DPDs should be contingent on their properly addressing Gypsy and Traveller accommodation in line with the guidance of Circular 01/2006, including meeting the pitch numbers from the relevant Regional Spatial Strategy.

This element of the grant should also be contingent on the DPD being a sound response to robust and credible evidence; specifically for Gypsy and Traveller accommodation this will mean that the relevant Gypsy and Traveller Accommodation Assessment (GTAA) will have to have been conducted rigorously and properly considered in the resultant DPD.

As outlined in the response to question 1, the small amount of land required to meet the needs of Gypsies and Travellers, combined with the historic failure to meet this small requirement, means that a substantial disincentive to failure in this area should apply. Again, a reduction by, say, 50 per cent or a sliding scale reduction would be possible means of ensuring that authorities do meet the requirements of the mechanism.

Q4. Do you agree with reductions in the grant payable where delays occur to the delivery of the milestones for submission and adoption?

BSHF has not studied this issue in detail, but the principle of reducing grant payable for delays seems compatible with the aims of ensuring prompt delivery of housing and other planning outcomes.

Q5. Do you agree with the principle of rewarding joint working among local planning authorities?

Joint working among authorities is particularly important in relation to Gypsy and Traveller accommodation. The Gypsy and Traveller Accommodation Assessment process has in many areas raised the issue of whether need should be met on a “where it arises” basis or spread across a wider area. Some local authority areas that already have some provision of Gypsy and Traveller sites have greater numbers of Gypsies and Travellers in need of accommodation than their neighbouring authorities who have no existing provision. The rewarding of joint working would be beneficial for addressing these important issues, but the mechanism should include a specific requirement for joint working on Gypsy and Traveller accommodation issues.

Q6. Do you agree with the overall weighting of the planning element of HPDG, i.e. 40% for the Assessment and identification of land for housing over a 5 and 15 year timescale, 50% for the delivery of development plan documents and 10% for joint working?

BSHF is not in a position to give a definitive answer to this question.

Q7. Do you agree with the principle of abatement where performance on development control declines below national planning standards?

BSHF has not studied this issue in detail, but the principle seems compatible with the aims of ensuring prompt delivery of housing and other planning outcomes.

Q8. Do you agree with our proposed criteria for the housing element?

The proposed criteria seem a reasonable way of handling ‘bricks and mortar’ accommodation but will probably not adequately address Gypsy and Traveller accommodation.

Due to the small absolute number of authorised pitches required in the country¹, delivery of, say, 1,000 pitches per year would represent a significant level of additional provision. A significant incentive is necessary to ensure authorities provide sufficient pitches, and could be provided under the proposed criteria by treating **every** pitch as “above floor”, irrespective of whether the authority exceeds its delivery floor for bricks and mortar accommodation. Those authorities that are unable to reach their floor will still have an incentive to ensure delivery of additional Gypsy and Traveller accommodation.

Due to the extreme levels of homelessness among Gypsies and Travellers this parallel approach is justified. Other more complicated criteria could be applied to weight incentives towards areas with need, but the proposal above benefits from simplicity of administration and strength of the incentive.

Design Quality

Q11. Do you have any views as to whether Housing and Planning Delivery Grant should be incentivising delivery of family homes?

The Grant should be structured in such a way that it incentivises the delivery of the type of housing needed in an area. In many cases this will be family homes but in some areas it may be other types of accommodation. Housing Needs Assessments and Housing Market Assessments should be referred to in order to assess what the needs are in a particular locality and this should be responded to with appropriate delivery (which is in line with what is stated in point 12 on page 5 of the consultation document). In relation to the delivery of social housing, part of the Grant could be used as an incentive to tackle under-occupancy which can prevent family homes from becoming occupied by those who need them. In such cases, appropriate provision of accommodation particularly to suit more elderly residents such as bungalows may be appropriate to encourage under occupiers to free up their properties.

Empty homes

Q12. Do you agree that an added eligibility criterion on empty homes would be useful and effective?

Empty properties are a wasted resource which could successfully be used to help meet the targets set to deliver more housing. An eligibility criteria based on bringing long-term empty properties back into use would be useful and effective but this should be based on properties that have been empty for a reasonable amount of time, for example at least six months. A criteria based on bringing any empty property back into use may not have any significant effect on those properties which are hardest to bring back into use and encourage local

¹ Typically under 4,000 caravans are reported on unauthorised sites in the caravan counts held every six months.

authorities to tackle the easiest ones which may have been brought back into use anyway. A requirement to only count longer-term empty properties in this criterion would also avoid creating an incentive for authorities to count properties that had only been empty for a very short period (for example a few days between tenancies), which should not be the target of this policy.

Q13. Are there other ways we might incentivise the bringing back into use of empty homes through HPDG?

In paragraph 63 it is stated that it would be problematic to allocate funding on the basis of empty homes brought back into use. However, local authorities currently report back on BVPI 64: the number of non-local authority-owned vacant dwellings returned to occupation or demolished during the financial year as a direct result of action by the local authority. This indicator could be used as a basis for funding allocations, possibly with amendments if required. The most likely amendment would be a minor one to ensure that the figures for properties returned to occupation and those demolished are recorded separately. As stated above, only longer-term empty properties should be counted to ensure that local authorities target the most difficult properties to bring back into use and not those that will shortly come back into use anyway. As a general point, steps should be taken to ensure that consistent counting methodologies are adopted across all authorities and that figures cannot be artificially inflated.