

Witness: Joanne Capper
For: Claimant
Date: 12/02/ 2025
No.: 2
Exhibits:

**IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION**

Claim No. KB-2024- 003315

**IN THE MATTER OF SECTION 222 OF THE LOCAL GOVERNMENT ACT 1972
AND SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990**

B E T W E E N:-

**THE MAYOR AND BURGESSES OF THE LONDON BOROUGH
RICHMOND UPON THAMES**

Claimant

-and-

- (1) PERSONS UNKNOWN FORMING AN UNAUTHORISED ENCAMPMENT AND / OCCUPYING FOR RESIDENTIAL PURPOSES (including temporary accommodation) WITH OR WITHOUT VEHICLES AT ANY OF THE 8 SITES WITHIN THE LONDON BOROUGH OF RICHMOND UPON THAMES LISTED ON THE SCHEDULE ATTACHED TO THIS CLAIM**
- (2) PERSONS UNKNOWN DEPOSITING WASTE ON ANY OF THE 8 SITES WITHIN THE LONDON BOROUGH OF RICHMOND UPON THAMES LISTED ON THE SCHEDULE ATTACHED TO THIS CLAIM**

Defendants

LONDON GYPSIES AND TRAVELLERS

Proposed intervener

**SECOND WITNESS STATEMENT OF JOANNE
CAPPER**

I, Joanne Capper, Principal Policy and Information Planner, for the London Borough of Richmond upon Thames, of Civic Centre, 44 York Street, Twickenham, London TW1 3BZ WILL SAY AS FOLLOWS:

1. This is the second statement I make on behalf of the Claimant, and I do so in response to the Witness Statement of Deborah Jane Kennett, dated 07 February 2025, the Proposed Intervener's CEO, and Proposed Intervener's written submissions dated 06 February 2025 ("the Written Submissions").
2. I am in the full time service of the Claimant local planning authority ("the Council") as Principal Policy and Information Planner in its Place Directorate. I am part of a team of officers that deals with planning policy including updating of the Council's Local Plan made pursuant to the Planning and Compulsory Purchase Act 2004.
3. Within my role in planning policy, there is regular liaison with other officers in the Council, in particular with Yvonne Feehan and colleagues in relation to parks. This includes regular discussions about the evidence base and approaches to managing the needs of Gypsies and Travellers.
4. In my first Witness Statement, dated 21 November 2024, I set out the purpose of the Council's Local Plan, the wider policy background against which the Council works when preparing its Local Plan, the research and work the Council has undertaken in preparing its new Local Plan and the extent to which the Council has engaged with the Planning Inspectorate, who is in the process of examining the new Local Plan prior to publication.
5. The Council's research on Gypsies and Travellers has been undertaken in a consistent way over an extended period of time, with surveys undertaken in 2013, 2015 and 2022, and research reports published in 2016 and 2023. The 2023 report forms part of Exhibit JC1 to my first Witness Statement (see pages 2-28).

6. I do not believe that Richmond Housing Partnership (“RHP”) carrying out assessments and research regarding the Hampton Travellers Site represents a conflict of interest. RHP conduct such work because they manage the site, have excellent current and historic officer knowledge of the site and maintain positive relations with those living there. They also manage the waiting list for pitches on the site and provide support and services to extended members of families of those on site that live in bricks and mortar. They have access to historic data accumulated over their years of managing the site, and therefore their findings are not based on broad assumptions.
7. I have not been made aware of any previous criticism of the Council’s research methodology or the outcomes it reached during my 15 years at the Council. On the contrary, as set out below, it appears to have been endorsed by the Planning Inspectorate.
8. The preparation of any Local Plan includes at least three rounds of public consultation on a draft Plan that is informed by a published evidence base of documents. Once the draft Plan is completed, it undergoes an examination in public by the Planning Inspectorate to ensure that is legally compliant. This process has been followed for the adopted Local Plan, and the emerging new Local Plan.
9. I reiterate the findings of the Planning Inspectorate in respect of the Council’s position in relation to the provision of additional pitches in the adopted Local Plan published in 2018, as set out in paragraph 9 of my first Witness Statement. However, for ease of reference, the Inspectorate’s findings are repeated below:

“44. With regard to gypsies, travellers and travelling showpeople and as illustrated by its Research on Gypsies and Travellers (SD27), the Council has sought to engage with neighbouring authorities in addition to relevant representative bodies, including the Richmond Housing Partnership (RHP), in assessing the level of need within the Borough. The Council concludes that there is no demonstrated need for any additional pitches within the Borough nor are there any signals that

there is an unmet need for gypsy or traveller accommodation into the future. The RHP manages the single existing Borough site which is deemed to be adequate. The Council's research has found no needs arising for travelling showpeople within the Borough. On the basis of the available evidence which appears proportionate to the issue at hand, I have no reason to reach a different conclusion."

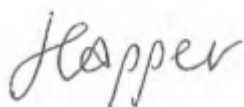
10. In respect of the Council's new Local Plan, the current position is set out in paragraphs 22 and 23 of the fourth Witness Statement of Yvonne Feehan, dated 29 January 2025. In summary, the new Local Plan is currently undergoing the Planning Inspectorate's public examination process. The Planning Inspectorate has recommended a number of Main Modifications to the new Local Plan, that are now subject to consultation until 17 March 2025. The Schedule of Proposed Main Modifications is available at www.richmond.gov.uk/draft_local_plan_examination#proposed_main_modifications_consultation. However, I can confirm that none of the Main Modifications relate to Policy 12 – Housing Needs of Different Groups, which contains the Council's proposals as to additional pitches.
11. Therefore, as set out in paragraph 23 of the fourth Witness Statement of Yvonne Feehan, the Council expects the new Local Plan will reflect the Council's 2023 research findings (see paragraph 8 of my first Witness Statement) that all current Traveller accommodation needs can be met by the existing site in Hampton, and no further sites or pitches will be provided.
12. In relation to the 2019 joint London Gypsies & Travellers and De Montford University report exhibited to the Witness Statement of Deborah Jane Kennett, this report would have formed part of the background to ongoing discussions held between mine and Yvonne's teams when formulating the Local Plan.
13. As set out in paragraph 16 of my first Witness Statement, the Council stands ready and willing to keep its position on negotiated stopping under review, and upon publication of the Mayor of London's Gypsy and Traveller Accommodation Needs Assessment and associated research, which as per

paragraph 21 of the fourth Witness Statement of Yvonne Feehan is planned for release in the coming Spring, the Council will consider its position at a strategic level.

14. Finally, in relation to the need for 5 permanent pitches as set out in paragraph 45 of the Written Submissions, the 2023 report analysed the proposed need (see paragraph 4.13 on page 23 of Exhibit JC1) and reached its conclusions in section 5 (see page 26 of Exhibit JC1). The conclusion reached was that there was in fact no demonstrated need for additional pitches, or any signals indicating unmet needs arising in the Borough, and therefore no additional pitches were recommended. This research then fed into the Council's position on the matter in its new Local Plan as stated in paragraph 11 above, which as set out in paragraph 10 above, has not given rise to the Planning Inspectorate recommending any modifications to the position.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.



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Joanne Capper

Dated this 12th day of February 2025