

**PUBLIC QUESTION AND ANSWER SESSION**

**Written Questions**

The following written questions were received in advance of the meeting and written responses were passed to those present at the meeting:

**(1) Submitted by Ian James of Bremhill Parish Council**

**The arrival of Travellers at the Stanley Lane Football Academy last month gave the community an insight into the problems that will be placed on the Council and Emergency Services. Thefts from properties in Tytherton Lucas, oversubscribed schools, and doctor's surgeries. What additional funding will the Council provide to police the community, and provide extra places at schools, and the inevitable increased work load on the social services should the proposed site at Stanley Lane be selected?**

Increased pressure on services and facilities is an issue that is not confined to the Gypsy and Traveller community.

**The proposed Stanley Lane site is prone to flooding, has the Environment Agency been consulted on the suitability for this site to be made a caravan site, where should there be a serious flood there may be a danger to those residents?**

The Environment Agency has been consulted and any comments made will be considered as part of the consultation process.

**Should the Stanley Lane site be selected what compensation packages will be available to those residents immediately adjacent to the site whose properties will be devalued?**

The property value is not a consideration in this process of identifying suitable sites for the Gypsy and Traveller community. NWDC is acting within its mandate and through an open process of identifying possible sites, to ensure that all the citizens in the district have access to decent and appropriate accommodation.

**(2) Submitted by Mr D A & Mrs J M Blackledge of Chippenham, Wiltshire**

**From information publicly available it is notable that the density of Traveller sites within the country as a whole appears to be disproportionately focused in the county of Wiltshire, and within Wiltshire the North Wiltshire District Council ("NWDC") area. Please would the Councillors advise why they have not objected on behalf of their electorate to the relevant bodies (including any quangos), to**

- a. **The increased number of pitches being required in the county of Wiltshire, and**
- b. **The over representation of pitches within the NWDC area.**

NWDC contributed to the Gypsy and Traveller Accommodation Assessment 2006 (GTAA). This report identified the need for gypsy and traveller pitches within the district. NWDC officers supported this assessment of need and worked with Wiltshire County Council during the examination in public Panel Report into the Draft South West Regional Spatial Strategy.

In light of the recommended increase in requirements (from 24 pitches to 48) NWDC is still considering its position on this matter.

**Please would the council disclose the comments which we understand have been sought from the Transport Department of Wiltshire County Council, in respect of the safety of cars and pedestrians relating to each of the sites being considered, on an individual basis.**

All comments made during the course of the public consultation will be made available for public inspection at the end of the consultation process. This will include comments made by Wiltshire County Council Highways Department.

**Please would the council provide full details of the “Full Highways Assessment” which we are advised has been requested from the Wiltshire County Council.**

All comments made during the course of the public consultation will be made available for public inspection at the end of the consultation process. This will include comments made by Wiltshire County Council Highways Department.

**Please would the council provide a full update on progress on consideration of additional private sites.**

NWDC has been assessing potential alternative private sites during the course of the consultation process. Should a suitable site emerge, this will be the subject of a second round of consultation.

**Please would the council explain why if any additional sites are identified, that they will only be considered post the 20 June 2008 (as advised in a written communication from NWDC), and how this will impact on any decision to be considered on 3 July 2008, regarding the existing proposed publicly owned sites.**

The Executive to be held on the 3rd of July 2008 will be presented with the conclusions of the consultation process and the site assessment of publicly owned sites. Should a suitable site emerge, this will be the subject of a second round of consultation.

**Please would the council confirm the maximum number of “pitches” to be allowed on any site, should such site be approved.**

It is a general assumption that sites should not be more than 18 pitches.

**Please would the council confirm the maximum number of units (places of occupation) that will use any site, whether fixed or otherwise.**

It is not possible to predict the total number of units, but it is commonly accepted that each pitch would have a residential caravan and one or two tourers. Exact numbers can be specified at the planning application stage.

**Please would the council confirm the maximum number of residents that would occupy any approved site.**

As question above.

**Please would the council confirm the maximum number and type of vehicles that would be allowed access / parking on any approved site, specifically split between cars and commercial vehicles i.e. commercial vans, trucks, articulated units / trailers etc.**

Government guidance confirms that sites should have a mixed residential and commercial use and this indicates that a site would hold a range of vehicles.

**If the council is unable to confirm the details in the question above, what is their expectation based on historic knowledge of existing sites, and what action would be taken to limited such vehicles.**

Planning conditions could be used at the planning decision stage, which would be informed by the Highways Assessment.

**Please provide clarification as to whether the Stanley Lane "site" is considered as one site or two separate sites and whether if one of the fields were to be chosen (which we do not accept as a reasonable solution) if the second field would remain a potential additional site now or in the future.**

The Stanley Lane sites are considered as two sites, reference to the sites in the consultation document refers to them as site "A" and "B".

**Please would the council clarify, in the event that any proposed site is identified from the existing list, what action will / can be taken to ensure any illegal pitches are not set up on adjoining land.**

This is a matter for the planning application stage, i.e. the use of conditions. Any breaches would be dealt with through the planning enforcement process.

**Please would the council confirm the maximum and minimum size (in hectares) of any site that may be permitted.**

This would be dealt with at the planning application stage.

**Please would the council confirm whether the current consideration of additional sites, is intended to provide a direct replacement for the unauthorised Minety site, the appeal of which we understand commences on 8 July 2008.**

The consultation is required as a result of the GTAA survey work. This authority is aware that the lack of sites is a factor in the Minety case.

**If the response to the above is positive, how do the council propose to ensure that any approved site is only used by the existing Minety community.**

See response to the question above.

**If the response to the question above is negative, why the rush in the current search for sites, and the limitation of the current consultation to publicly owned sites?**

There is a recognised need within the district which needs to accommodate, there is little benefit in delaying this process. Publicly owned sites are deemed to be more deliverable in the short term than privately owned sites.

**For the Minety appeal commencing 8 July 2008, is it the intention of NWDC to put forward one of the six existing proposed sites, as an alternative site, notwithstanding that the planning application process will not, if commenced, have been completed.**

The authority will make the planning inspector aware of the Executives decision. As you have indicated, the inspector will be aware that no planning permission will have been granted.

**Please would the council advise, why at individual meetings council representatives, as reported in the press, are making statements about “their” particular site being unlikely to be chosen.**

Not clear which statements are being referred to.

**Please would you provide the names and positions of the individuals who will, or are entitled to, attend the meeting on 3 July 2008 and who are capable of voting on the decision for the selection of a proposed site.**

This is a meeting of the Council's Executive. A full list of the Executive Members can be found on the North Wiltshire District Council website. [www.northwilts.gov.uk](http://www.northwilts.gov.uk)

**On the basis that one of the criteria is impact on the existing community, please provide the definition of the “relevant community” for each of the proposed sites to be used by NWDC as part of its decision making process e.g. geographical, number of affected households etc.**

Question is not clear. Local community = residents in the locality.

**(3) Submitted by Mr Hames**

**Why do NWDC have a different criterion for selecting new sites as opposed to the sites considered in the consultation document?**

The criteria contained within the ‘call for sites’ response form is intended to ensure that any alternative sites promoted are suitable and worthy of further assessment. Any site that is promoted will be subject to the same assessment as for the public sites outlined in the consultation document.

**The Stanley Lane sites obviously will dominate existing properties (i.e. “swamp”) and raise road safety issues cause excessive disturbance.**

There is no question to answer here. The comments will be recorded and considered as part of the formal consultation process.

**What is the true number of caravans per pitch?**

It is normal practice to consider one pitch as housing a residential caravan with one or two tourers. Once planning permission is granted it can specify the exact number. It is considered that sites should be no more than 18 pitches.

**(4) Submitted by Mr Paul Ranson**

**The Allocation - I note that the original requirement for pitches through the South West Regional Spatial Strategy April 2008 report for North Wilts was for 24 pitches and for the sub-region 99. I now hear that the 24 is to be increased to 48. What is the legal justification for this increase?**

The Examination in Public Panel Report is an independent assessment of the evidence provided to support the original Gypsy and Traveller pitch requirements. The Panel Report concluded that need identified within the Wiltshire County and Swindon Borough Gypsy and Traveller Accommodation Assessment (GTAA), was too conservative and should therefore be increased.

**Does this reflect an increase for the whole of the sub-region to 123 or to 198 from the original requirement of 99 pitches?**

Unable to answer as the question is not clear.

**If the revised requirement is 123 pitches then is North Wilts taking the whole of this burden i.e. taking a disproportionate share (48 from 123) contrary to paragraph 4.50 which states that the increase should be on a pro rata basis throughout the sub-region?**

Unable to answer as the question is not clear.

**In this regard, extending the pro rating principle, should not Kennet be required to take a proportionate share of the total number of pitches for the sub-region - Kennet's allocation of 5 pitches out of 123/198 for the sub-region is disproportionately low and should be increased to a number commensurate to its area as a percentage of the sub-region?**

The Executive is not in a position to respond to questions affecting the Kennet Area.

**In any event have the NWDC authorities considered resisting this further increased allocation on behalf of their ratepayers who will be paying the inevitable excess over the allocated grant and reflecting the overall and well publicised anger of the North Wilts population to the imposed new pitches?**

In light of recommendation of the Panel Report, NWDC is considering its position on this matter and will make representations at an appropriate moment.

**Regardless of the number of pitches has the NWDC considered standing up for its ratepayers and settled community who will inevitably be adversely affected to a greater or lesser degree by such pitches by appealing against both the original April 2008 proposals in recommendation 10 (as well as the mysterious allocated increase)?**

NWDC was a key partner in the work undertaken for the GTAA Survey and supports the conclusions within this document. NWDC worked closely with Wiltshire County Council to defend this requirement.

**Order of Consideration of Sites and the Existence of an Even Playing Field - It is noted from the site analyses that none of the 6 sites is ideal. I am advised that if no site is right then no new pitches will be created. I also understand that no other sites including those raised in the "Call for Sites" will be considered until after the initial 6 are all ruled out. This is irrational - all available opportunities should be examined especially where the site owner invites the traveller use.**

This initial stage only deals with publicly owned sites as they are considered more deliverable if they are deemed to be appropriate based on the criteria contained with the consultation document.

**Will the NWDC consider all available sites including private sites offered simultaneously and without bias?**

See response to question above – all sites will be subject to the same assessment criteria.

**If no sites are suitable then will the NWDC be able to refuse any further pitches?**

It will be difficult to resist unauthorised encampments.

**At the very least, with 6 council sites proposed and private sites being called for, would not local disruption be minimised by sprinkling the pitches as sparingly as possible around the sub-region (including Kennet) rather than one mega-site which will effectively blight one area?**

It is considered appropriate that any Gypsy and Traveller site should be no more than 18 pitches.

**Comparison with Private Site Suitability Criteria - In relation to the "Call for Sites" para 5.5 sets down various criteria for when a private site would be considered. Interestingly, in relation to the Stanley Lane sites none would seem to be met:**

- **Local Facilities** - The local surgery's list is understood to be full.
- **Dominance** - It will perhaps be (with 48 sites) the biggest single community in the rural area North of Chippenham far greater than the settlements of Tytherton, Stanley, (probably) Bremhill, Foxham etc. The few houses in the immediate vicinity will be blighted.
- **Roads etc** - It is on a narrow road which is already overused and distressed.
- **Disruption** - It is on a flood plain and without drainage effluence will inevitably go into the nearby river. In addition a recent traveller visitation showed that the police were totally unable to protect the neighbouring rural local community from a spate of thefts and intimidation from the travellers.

**In the light of the above does the NWDC apply different and less stringent criteria to its own proposed sites than the private sites it would consider suitable?**

All sites will be assessed on the same criteria.

**The Two Cottages most Likely to be Effected by a Decison for the Stanley Site - In relation to the particular position of the two cottages that would effectively be surrounded by the Stanley Road sites and whose homes would seem to be unsaleable as a result, is the NWDC confident that Article 9 of the Human Rights Act (Everyone has the right to respect for his private and family life, his home and his correspondence) would not be breached should the NWDC decide accordingly?**

NWDC is acting within its mandate and through an open process of identifying possible sites, to ensure that all the citizens in the district have access to decent and appropriate accommodation and services.

It is not considered that this breaches the Human Rights Act.

**(5) Submitted by Rosalind Robinson of Tytherton Lucas**

**In light of the events following the illegal occupation by travellers of a field adjacent to Stanley Park Football Ground a few weeks ago, can any member of NWDC give just one good reason why I and other residents nearby should welcome the idea of the travellers as neighbours? (Please note that to say the government require NWDC to create another site in North Wiltshire is not a valid answer to this question).**

North Wiltshire District Council has an obligation to ensure that every citizen within the district has access to decent and appropriate accommodation.

**(6) Submitted by WJ and EE Annett of Oxford Road, Calne**

**Should the Town Council / North Wilts Council be maximising the value of council owned land for the benefit of rate payers rather than gifting potential sites to gypsies and travellers?**

It is not the case that any land is being "gifted" to the Gypsy and Traveller community. Publicly owned land provides the opportunity for NWDC to fulfil its obligation of ensuring that all residents have access to decent and appropriate accommodation.

**Should these proposals go ahead do the council plan to reduce the rates in compensation for the estimated thirty per cent drop in the value of the towns properties?**

No.

**If the gypsies/travellers wish to cease travelling why do they not integrate themselves into the community by buying/renting property as all the rest of us have had to do?**

NWDC is under a duty to respect the culture and lifestyle of the Gypsy and Traveller community.

### **Will the gypsies/travellers be paying rates?**

Gypsies and Travellers are liable to pay council and other payments such as utilities in the same way as the rest of the population.

### **How independent are Humberts? Does the fact that Calne is not one of the more affluent areas in North Wiltshire mean that the reduction in property prices will be less damaging to estate agents?**

The consultation report does not just consider sites in Calne, all possible sites are assessed using the same criteria.

### ***Does the proposal not impact on the future planned route for a southern bypass?***

Strategic planning matters will be considered.

## **Open Forum**

The following questions and comments were made during the open forum session of the meeting:

- (1) ***Within the consultation document scoring system it states that the Council will look favourably on sites that are located 400 metres from existing homes, the scoring for the site in Oxford Road states that this site meets this test, but this is not the case – will this be adjusted accordingly?***

There are differing views on this issue, but all of the consultation responses and the position of nearby properties will be taken into account.

- (2) ***Why in the presentation given this evening did you only show the points in support of the sites and not the negative points of the sites?***

The information that is collated from the consultation will be put forward to the Executive to decide what sites are suitable and sufficient.

- (3) ***Why are sites only within North Wiltshire being considered and not others across the County when in 2009 we will be part of one Council?***

The forthcoming Regional Spatial Strategy will determine that sites in the north of the County are to be designated.

- (4) ***There has already been an effect on the housing market – will you be taking into account the fall in property prices and will you be compensating accordingly?***

Under general planning principles there can be no compensation – sites are allocated for certain uses and land value cannot be taken into account.

- (5) ***The two sites identified in Calne are adjacent to two of the most deprived wards – why is this?***

The Executive will be taking into account all the consultation results before making their decision.



- (6) ***I am young and have just got on the property ladder. I work hard and pay all of my taxes. It is so unfair to put us in a bad situation and have this happen.***
- (7) ***Let us have a referendum of this issue to find out what we think.***
- (8) ***Contact details need to be passed to everyone so that we can put in place a fund to fight this issue.***
- (9) ***The Oxford Road site in Calne is larger than the recommended size – will you take this into account when considering the consultation?***

It is not anticipated that a single site will accommodate any more than 18 pitches. This may require that only a smaller portion of the site will be required.

- (10) ***Calne Town Council have rejected the proposed sites for Calne – on the 3<sup>rd</sup> July will the Executive vote to reject these sites too?***

This Committee will make a recommendation to the Executive when they debate this after the question and answer session.

- (11) ***Do the Councillors have any questions for the public, they should be changing the minds of the public on the sites and not the other way round.***
- (12) ***This is having an effect on house prices and insurance – what measures are you putting in place to say to the people of Calne that their fears are unfounded?***

These are not planning issues – in respect of any fear of crime, the relevant consultation would be carried out with the Police.

- (13) ***If MP's say how they are going to vote why can't you? Have you taken legal advice on the prospect of a judicial review? – you should avoid the risk and restart the consultation without the criteria.***

A few private sites have been put forward in the call for sites – but this consultation is to deal with the 6 identified public sites.

- (14) ***There have been conflicting views on the exact number of caravans per pitch – what is the number?***

The general rule of thumb is one residential caravan and 1 or 2 touring caravans. Any planning permission to be granted would determine the exact number of caravans to be allowed on site.

- (15) ***Why have the timings of the consultation period changed from 11 weeks and 6 days to 6 weeks?***

The consultation is for 6 weeks. If private sites come forward a new consultation period will start. The current consultation period is not going to be extended as this would cause more uncertainty for those who are objecting to the current 6 public sites. The consultation process to date has been very successful and has put forward questions that need to be considered.

- (16) As a current tax payer you would have a problem if we were to stop paying Council Tax - we would be entitled to the same privileges?**

Gypsies and Travellers are also liable to pay Council Tax.

- (17) Please could you confirm that it is possible that none of the six sites will be chosen at the end of the consultation process, or are you determined to choose one at any cost?**

It might be that the Executive choose not to proceed with any of the 6 publically owned sites.

- (18) The site at Stanley Lane is next to a secondary school. Site A has power lines above it and site B is close to homes and a listed building. Flooding has caused several accidents and more traffic in the area would cause a bigger strain. How can you state that this site has the least number of constraints?**

There is no reason why a Gypsy and Traveller site cannot be located next to a secondary school. The Highways Agency have been consulted.

- (19) Can you agree that the 3 proposed sites will not go any further for consideration – have Councillors visited the sites?**

Some Councillors have visited the sites independently.

- (20) We note that £250k has be allocated to fund this – what happens if the costs are more than this, will this be added to Council Tax bills or will more funding be received from central Government?**

The funds are limited, but we will do our best to deliver a site within the funds available.

- (21) A lot of regeneration has taken place for Calne and it looks good – Has consideration been given to placing a Gypsy and Traveller site on the main entrance into the town. Rightly or wrongly there is a lot of prejudice in having such in site in Calne – should this be taken into consideration?**

From a planning perspective perceived prejudice cannot be considered. Many permanent existing Gypsy and Traveller sites are in place with excellent landscaping. There is no reason why they can't be part of a thriving town.

- (22) How many Councillors live near proposed sites?**

This is not a relevant factor.

- (23) Will Members of the public have an equal opportunity to buy land up for sale?**

The land will be made available only to those willing to bring the land forward for use as a Gypsy and Traveller site.

- (24) Will this be for a fair market value?**

Yes, an independent valuer would carry out any valuations.

**(25) Have you considered the impact of the proposed sites on local businesses?**

Several representations have been received from businesses and these will be considered as part of the consultation.

**(26) Will there be an increase to Council Tax and why did you close a Leisure Centre if money is available to fund Gypsy and Traveller sites?**

£100k has been allocated from the Council and £150k from the Government for the provision of Gypsy and Traveller sites. In addition, more money has been added to the anti social behaviour budget which has enabled CCTV for Calne.

**(27) What good do Gypsies bring to the community?**

This is not in the scope of the consultation remit.

**(28) There are factual inaccuracies on the scoring of the proposed sites – how and when will the final report be publicised and what right will we have to challenge any inaccuracies we feel might exist?**

The report will be published no later than Friday 27<sup>th</sup> June and on 3<sup>rd</sup> July the Executive will make a decision based on the recommendations included in that report. If you feel that incorrect information has been considered there is the option for others Councillors to “call in” the decision of the Executive.

(Note: A member of the public stated that she had submitted written questions which had not been received by the Officers. The Chairman assured her that she would receive a written response to her questions).