

REPORT TO THE EXECUTIVE		Report No. 13
Date of Meeting	24 th April 2008	
Title of Report	Gypsy and Traveller Site Provision	
Portfolio	Housing	
Link to Corporate Priorities	All	
Key Decision	Yes	
Executive Workplan Ref	N/A	
Public Report	Yes	

Summary of Report

To identify a site in public ownership for the provision of a permanent gypsy and traveller site and to authorise all works necessary to establish the viability of the site and its subsequent disposal.

Officer Recommendations

1. That subject to 2, 3 and 4 below, the land identified as Site 2 in the Schedule to this report be developed as a permanent gypsy traveller site.
2. That the Assets, Design and Regeneration Manager be authorised to submit an outline planning application for the site.
3. That the Assets, Design and Regeneration Manager be authorised to take all steps necessary to establish the cost of servicing the site.
4. That the Assets, Design and Regeneration Manager be authorised to enter into contracts to provide services to the site.
5. That authority be delegated to the Legal Services Manager to terminate the existing licence of the site at the appropriate time.
6. That the Council dispose of its freehold interest in the site subject to contract.
7. Take no action in relation to any other site at the present time.

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
Yes	Yes	Yes	No	Yes
Contact Officer	Mr P Jeremiah Legal Services Manager Tel: 01249 706600 e-mail pjeremiah@northwilts.gov.uk			

1. Background

- 1.1 A recent survey commissioned by the Council identified a need for 28 permanent gypsy and traveller pitches in the district.
- 1.2 The Government has issued planning guidance in the form of Departmental Circular 01/2006 emphasising the need to make proper provision for gypsies and travellers.
- 1.3 The Council has received a grant from the Government of £250,000 towards the provision of a permanent gypsy and traveller site.
- 1.4 The Council commissioned a gypsy and traveller site search project from Humberts the results of which have recently been received.

2. Options

- 2.1 The options are:-
 - a) To take no action.
 - b) To accept the officer recommendations.
 - c) To amend the officer recommendations.

3. The Site Search Project

- 3.1 The criteria adopted for the site search were as follows:-
 1. Sites should be developed with respect for the local environment, of a size that does not swamp the existing environment and of a nature that enables sites to blend in with the environment.
 2. The environmental impact of new site developments should include consideration of noise and other disturbances as a result of moving vehicles to and from the site, stationing or vehicles on the site and on-site business activity.
 3. Planning authorities should consult with the environment agency about any possible flood risk for new developments.
 4. It will generally be inappropriate to develop sites on greenbelt land or in areas with nationally recognised designations. However, local landscape and local nature conservation designations should not be used to refuse planning permission.
 5. In general, sites should not be located on significantly contaminated land, although this will not necessarily rule out all development near adjoining motorways, power lines, landfills or railway lines any more than it does with conventional housing.
 6. Brownfield site development or development of untidy or derelict land for gypsy and travellers sites may provide a positive enhancement to the environment.

7. Consideration should be given to development of sites for mixed residential and business uses with space made available to facilitate this.
 8. Sites should have good vehicular access from the public highway on-site provision parking and for turning and servicing of vehicles.
 9. Consideration should be given to road safety both on site and in the surrounding area.
 10. Priority for private site development should be given to gypsy and traveller applicants with a local connection although lack of local connection should not be an overriding reason for refusal.
 11. Unauthorised developments that are currently tolerated by the local planning authority should, where possible, be authorised to enable regular inspection, improve standards and effective site management.
- 3.2 The search identified six publicly owned sites and nine privately owned sites in the district.
- 3.3 Because of the need to deliver a site sooner rather than later only the publicly owned sites are recommended for consideration at present.
- 3.4 The six publicly owned sites, and their owners, are identified in Appendix 1 to this report and shown on the plans at Appendix 2.
- 3.5 Each site has been scored against the following criteria
- That the site has good access to amenities – education, shopping, transport
 - That the site does not swamp the existing environment/community
 - That the site does not cause excessive disturbance in moving vehicles on/off site and onsite business activities
 - That there is no flood risk
 - Sites on brown field or untidy sites which may be enhanced would be a positive
 - Good access from highway and ability for onsite turning/parking of vehicles bearing in mind desirability of mixed residential and business uses
 - The site should not raise road safety issues in the area
 - Unauthorised sites which are currently tolerated by the planning authority could be authorised to improve standards in management
- 3.6 Since receiving the results of the site search project, the County Council have notified this authority that the County Council's land at Marlborough Road, Wootton Bassett, is needed for operational purposes, and, consequently, no further consideration can be given to this site. The remaining five sites have been scored as set out in Appendix 3.
- 3.7 Of the remaining five sites, Site 2 scores the highest and had the advantage of being in the ownership and control of the Council which ought to enable its development within a reasonable timescale subject to planning permission and other site specific considerations. A significant amount of the identified need could be accommodated within this site.

4. Financial Implications

- 4.1 The Council has £250,000 available for this project. The costs of servicing the site are not yet known, but if the site cannot be delivered within budget then a further report will be prepared for consideration by the Executive.

5. Legal Implications

- 5.1 Section 123 of the Local Government Act 1972 states that except with the consent of the Secretary of State a local authority shall not dispose of land otherwise than by way of a short tenancy for a consideration less than the best that can reasonably be obtained.
- 5.2 From time to time the Secretary of State issues General Disposal Consents. The General Disposal Consent 2003 requires the obligation on local authorities to seek consent for disposal of land at an undervalue provided that the authority considers that the disposal will help secure the promotion or improvement of the economic, social or environmental well-being of their area and where the undervalue does not exceed £2m.
- 5.3 The disposal of this site at an undervalue would appear to satisfy the criteria set out in the General Consent.

6. Community and Environmental Implications

- 6.1 By providing a permanent gypsy and traveller site, the Council will be discharging its obligations towards a section of the community in accordance with Government guidance on housing and planning, and the Council's ability to protect the environment through the development control system will be greatly enhanced.

7. Equality and Diversity Implications

- 7.1 Gypsies and travellers need to be treated as an integral part of the community whose need for decent housing has to be recognised and accommodated by and within the larger community.

8. Risk Analysis

- 8.1 Failure to provide a permanent site for gypsies and travellers within the district within a reasonable timescale will severely undermine the Council's ability to control unauthorised developments of this nature within the open countryside.

Appendices:	<ul style="list-style-type: none">• Appendix 1 – Schedule of publicly owned sites• Appendix 2 – Plans of the six sites detailed in the schedule• Appendix 3 – Scores of the remaining five sites
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• Gypsy & Traveller Site Search Project – exempt document

Previous Decisions Connected with this Report

Report	Committee & Date	Minute Reference
<ul style="list-style-type: none">• None		

Publicly Owned Sites

Plan 1.	Abberd Lane, Calne	NWDC
Plan 2.	Site adjoining Oxford Road, Calne	NWDC
Plan 3.	Land at Long Close & Hardens Mead, Chippenham	NWDC
Plan 4.	Marlborough Road, Wootton Bassett	NWDC & WCC
Plan 5.	Land at Stanley Lane, Chippenham (2 possible sites)	WCC
Plan 6.	Land at Stoneover Lane, Wootton Bassett	WCC