

# Executive

Excerpt of the minutes of the meeting held on Wednesday 13 August 2014 at the Town Hall, Royal Leamington Spa at 7.15 pm.

**Present:** Councillor Mobbs (Chairman); Councillors Caborn, Coker, Cross, Mrs Gallagher, Hammon and Vincett.

**Also present:** Councillor Barrott (Chair of Finance & Audit Scrutiny Committee), Councillor Mrs Falp (Chair of Overview and Scrutiny Committee) and Councillor Wilkinson (Labour Group Observer).

Apologies for absence were received from Councillor Shilton.

## 31. **Declarations of interest**

Minute Number 32 – Draft Development Plan Document (DP) for the Allocation of Sites for Gypsies and Travellers

During the discussions, Councillor Caborn declared an interest in the proposed transit site located at Southam because he was a Warwickshire County Councillor.

### **Part 1**

(Items on which a decision by Council is required)

## 32. **Draft Development Plan Document (DPD) for the Allocation of Sites for Gypsies and Travellers**

The Executive considered a report from Development Services which informed Members of the outcome of the Preferred Options for Sites for Gypsies and Travellers consultation and the next steps required to enable the submission of the Development Plan Document (DPD) to the Secretary of State.

In addition, approval was required to carry out a public consultation for the Draft Development Plan Document (DPD) for the Allocation of Sites for Gypsies and Travellers.

The report explained that the Allocation of Sites for Gypsies and Travellers Development Plan put forward sites to be allocated through the Local Plan process, for the use of Gypsies and Travellers. This was to satisfy a need identified in the Gypsy and Traveller Accommodation Assessment (GTAA) 2012 and fulfil the Council's responsibility under the National Planning Policy Framework (NPPF) 2012 and the Housing Act 2004 to meet the accommodation needs of the population within its area.

The Town and Country Planning Regulations 2012 required that Development Plan Documents (DPD) proceed through a number of key stages. This report brought to an end the preparation stages as set out in

Regulation 18 of the 2012 Regulations and commenced the 'publication' stage of the DPD as set out in Regulation 19.

The report requested that the consultation on the potential for employment development on land at Stratford Road, Warwick agreed by the Executive at its meeting on 30 July 2014, be amended to refer to the wider area of land as shown in Appendix A of Appendix 2. The report explained that in discussing this possibility with the other two principal landowners, it became clear that the site appraisal for both employment and for a gypsy and traveller site needed to refer to a wider area of land than had been agreed by the Executive.

The remaining recommendations proposed that Council resolve to note the report of the public consultation as attached at Appendix 1 and the updated sites assessments attached as Appendix 3 to the report.

The report also recommended that the Draft Development Plan, the Allocation of Sites for Gypsies and Travellers attached as Appendix 2 and the amendments to the Policies Map, attached as Appendix A of Appendix 2, be approved for publication under Regulation 19 of the Town and Country Planning Regulations 2012.

Members were advised that the Draft Development Plan, amended policies map and sustainability appraisal would be open to representations for a period of six weeks, to coincide with the Local Plan consultation on the potential for development at Stratford Road, Warwick.

Approval of the Statement of Representations Procedure and publication of the sustainability appraisal was proposed to be delegated to the Chief Executive in conjunction with the Deputy Leader of the Council. In addition, delegated authority was proposed to the Chief Executive, following the six week consultation period, acting in consultation with Group Leaders and the Deputy Leader, to submit the Draft Development Plan and amended Policies Map for independent examination, together with a table of any proposed modifications, provided that only minor, non-material modifications were proposed.

Finally, the report recommended that Council resolve to delegate authority to the Executive to approve the submission of the Draft Development Plan Document for independent examination, together with a table of proposed modifications including material modifications, provided that such modifications do not require further statutory consultation. Approval to delegate authority to the Head of Development Services, in consultation with the Deputy Leader of the Council, was also required to make any necessary non-material amendments to the Development Plan before the commencement of the consultation.

An alternative option was to consider alternative sites to meet the requirements set out the 2012 GTAA. The assessment of these sites was attached as Appendix 3 to the report.

As the Council had to meet its obligations under the National Planning Policy Framework and the Housing Act, the number of pitches specified in the GTAA should be met. It had been suggested that the GTAA was flawed. Whilst it was extremely difficult to forecast the requirements for Gypsies and Travellers accurately, the report explained that the GTAA had been checked and provided a reasoned methodology. It was therefore considered that alternatives involving the provision of fewer pitches could not be justified.

The following members of the public addressed the Executive; Mr Butcher, a local resident, Mr Hallworth, Secretary of the Brakes Trust and Mr Scott, Chairman of Leamington Football Club.

The Leader thanked the gentleman for attending the meeting and sought clarity from officers on a number of queries raised by the speakers. These queries included the quality of data supplied by Salford University and the relevant experience they had in producing GTAA's. The officers explained the complexities of interviewing and gathering data from Gypsy and Traveller communities and the problems resulting from such a small sample size.

In response to a query regarding the number of pitches needed to be provided in the first five years, officers explained that the jump from zero to 25 was necessary to reduce the backlog of providing no pitches previously.

Following Mr Hallworth's speech to the Executive, the Leader responded that the Council would not use a Compulsory Purchase Order (CPO) on the site and that they fully supported the football club. He also praised the club for the excellent relationship that had been built with officers from the Council and hoped that this would continue. He assured Mr Hallworth that the worst case scenario would be that the club would remain where it was.

Councillor Barrott, Chairman of the Joint Scrutiny Committee, addressed Members and explained that the Committee had resolved to refer the matter to Council for full debate. In addition, he thanked the representatives from the Brakes Trust and Leamington Football Club for attending and for all the hard work that had been inputted by those present.

The Portfolio Holder for the Local Plan, Councillor Caborn, endorsed the report and explained the current situation regarding the potential future of the Stratford Road site in Warwick. He advised that a three way consortium had been developed with Severn Trent Water, the landowners and the Council to discuss the complexities of the site including flooding and noise issues. Councillor Caborn assured Members that once all parties were satisfied, a map would be produced detailing exactly where the suitable areas of the site where, if any existed.

It was proposed, and duly seconded, that an additional recommendation to Council be added to assure the football club that a CPO would not be

used and to ensure that any new location was fit for purpose and made available for use, prior to any relocation. This recommendation was agreed by Members and added in as recommendation 2.2.8.

The Leader, Councillor Mobbs, reiterated the Council's support for the football club and for their excellent contribution to the local community. He stated that the Council wanted to see the club thrive and be in a position to attract larger crowds as they gained promotion.

It was therefore

**Resolved** that that the consultation on the potential for employment development on land at Stratford Road, Warwick agreed by the Executive at its meeting on 30<sup>th</sup> July 2014, be amended to refer to the wider area of land as shown in Appendix A of Appendix 2.

**Recommended** that

- (1) the Report of Public Consultation on the Preferred Options for Sites for Gypsies and Travellers, attached at Appendix 1 to the report, and the updated site assessments, attached at Appendix 3 to the report, are noted;
- (2) the Draft Development Plan, the Allocation of Sites for Gypsies and Travellers, attached as Appendix 2 to the report, and the amendments to the Policies Map, detailed in Appendix A of Appendix 2 to the report, are approved for publication under Regulation 19 of the Town and Country Planning Regulations 2012;
- (3) the Draft Development Plan, amended policies map and sustainability appraisal be open to representations for a period of six weeks, to coincide with the Local Plan consultation on the potential for development at Stratford Road, Warwick. The consultation will be undertaken in accordance with a Statement of Representations Procedure to be made available in accordance with regulation 19 of the Town and Country Planning Regulations 2012;
- (4) approval of the Statement of Representations Procedure and publication of the sustainability appraisal is delegated to the Chief Executive in conjunction with the Deputy Leader of the Council;

- (5) authority is delegated to the Chief Executive, following the six week consultation period, acting in consultation with Group Leaders and the Deputy Leader, to submit the Draft Development Plan and amended Policies Map for independent examination, together with a table of any proposed modifications, provided that only minor, non-material modifications are to be proposed;
- (6) if it is considered desirable to propose material modifications, authority is delegated to the Executive to approve the submission of the Draft Development Plan Document for independent examination, together with a table of proposed modifications including material modifications, provided that such modifications do not require further statutory consultation;
- (7) authority is delegated authority to the Head of Development Services, in consultation with the Deputy Leader of the Council, to make any necessary non-material amendments to the Development Plan before the commencement of the consultation; and
- (8) the Council will undertake no move to develop the Leamington Football Club site as a Gypsy and Traveller site, until a location is found and made available for use and has been agreed by the Council and Leamington Football Club Ltd. The Council also confirms that no Compulsory Purchase Order will be used in relation to this site.

(The Portfolio Holder for this item was Councillor Caborn)  
(Forward Plan reference number 567)

(The meeting ended at 7.45pm)