

**Officer Key Decision to be taken by the
Strategic Director of Communities
on or after 23 October 2015**

The Provision of Emergency Stopping Places

Recommendations

- a) That the Strategic Director for Communities approves the land adjacent to Oldbury Road / Gin Wood (site 13) as the preferred location for an Emergency Stopping Place in the North of the County.

- b) That the Strategic Director for Communities authorises officers to progress the process to obtain necessary permissions, orders and any other consents for the development of the Northern Emergency Stopping Place on terms acceptable to the Strategic Director of Resources

1.0 Key Issues / Background

- 1.1 The primary duties to identify and make provision for the accommodation needs of gypsies and travellers lies on district and borough councils in their capacities as housing and planning authorities. However, under section 24 of the Caravan Sites and Control of Development Act 1960, the County Council has a power to provide temporary or permanent sites and to manage the sites and do anything appearing to them desirable in connection with the provision of such sites. Use of this power not only helps partner authorities to achieve their statutory duties but also supports the achievement of County Council functions and objectives such as those relating to public health and education. The County Council has for many years used this power to provide permanent sites and in October 2012 Cabinet resolved to *'approve the principle of providing emergency stopping places for travellers and ask the Strategic Director for Communities to obtain all necessary consents and take all other steps as are necessary to provide such place or places as she may identify on terms acceptable to the Strategic Director of Resources.'*

- 1.2 Following this resolution, a suitable site has been identified and progressed on land adjacent to the A425 near Southam. This site will be established to ensure adequate provision for the South of the County.

- 1.3 Identification of a suitable site to ensure adequate provision for the North of the County has progressed at a slower rate. During this time the need for a site has not diminished and regular unauthorised encampments occur. There is an increasing number of encampments occurring in the North of the County, which may in part be attributable to neighbouring authorities taking forward local responses which in turn displaces activity into Warwickshire.
- 1.4 Given the continuing demand, this report seeks approval to progress with the development of an ESP in the North of the County on land adjacent to Oldbury Road / Gin Wood (site 13).
- 1.5 The Housing Act 2004 included changes which have introduced a statutory duty to undertake Accommodation Needs Assessments for Gypsies and Travellers.
- 1.6 In Warwickshire these assessments have highlighted a number of potential gaps in current accommodation, some of which need to be addressed by WCC and others which need to be addressed by partner agencies.
- 1.7 The shortage of vacant pitches on permanent sites and designated short term stopping places within the county can mean that travellers set up unauthorised encampments on highway land, other local authority land or on private land.
- 1.8 Unauthorised encampments present significant challenges and costs for local authorities, the police and others, both in supporting community needs and in taking enforcement action and site clear up costs.
- 1.9 Following investigative work by the 'Gypsy and Traveller Advisory Group' and in order to address the issues highlighted above, on 18th October 2012, Cabinet approved the principle of providing Emergency Stopping Places (ESPs) within Warwickshire. The need for such sites has not diminished or materially altered since Cabinet gave this authority.
- 1.10 ESPs are areas where travellers are permitted to stay temporarily if the Council deems it appropriate, removing the need for them to occupy less suitable unauthorised sites.
- 1.11 Stays at ESPs would not be permitted to exceed 28 days at a time unless the Council deemed that exceptional welfare needs justified a longer stay. Emergency stopping places are not occupied all year round but may be made available at times of increased demand.
- 1.12 It is anticipated that the provision of ESPs will enable the Council to move unauthorised encampments to more suitable sites, more rapidly.

2.0 Options and Proposal

- 2.1 Following the decision by Cabinet in October 2012, officers assessed the merits of a number of potential sites, with a view to gaining planning consent for two Emergency Stopping Places within the County.
- 2.2 For the South of the County, a suitable site was identified and has been progressed on land adjacent to the A425 near Southam.
- 2.3 Government guidance on the design of traveller sites was issued by the Government in 2008. Planning policy for traveller sites, which includes criteria for the location and characteristics of traveller sites, was issued by the Government in 2012 and this was revised in August 2015.
- 2.4 Criteria used in the assessment of shortlisted sites has included:
- Compliance with Government Guidance
 - Natural environment and landscaping
 - Air, water and soil quality
 - Flood risk
 - Housing need
 - Know local planning considerations
 - Local services and community facilities/ health and wellbeing
 - Highways suitability.
 - Social Cohesion
 - Sustainability.
- 2.5 For the North of the County an extensive search of WCC landholdings resulted in a list of 39 potential sites which are shown by way of location in Appendix A.
- 2.6 These sites were subject to an initial screening/desktop analysis by Physical Assets, Gypsy and Traveller Support and Development Management teams of WCC. The screening resulted in the elimination of the majority of sites, on the grounds of either planning restrictions, physical site suitability or welfare concerns, and taking into account the need to be cognisant of guidance from Government in relation to Gypsy and Traveller matters. A summary of this screening exercise is included at Appendix B.

2.7 Following the initial screening, four sites were shortlisted and considered through further rigorous assessment. The four sites within the scope of this exercise were:

- a) Grendon, Spon Lane - Old Waste Site (site 8).
- b) Land adjacent to Oldbury Road/Gin Wood (site 13)
- c) Land at junction of A45/M45 (site 29)
- d) Land adjacent to Dunchurch Road, Rugby (site 30)

3.0 Further Site Evaluation and Conclusion

3.1 In conjunction with colleagues from Physical Assets these four sites have been subject to further evaluation and an analysis of each of the sites is included at Appendix C.

3.2 The more detailed evaluation included consideration of criteria outlined at 2.4 alongside factors such as future potential use of sites, financial consideration of developing sites including the opportunity cost of sites potentially with other development uses, proximity/linkages to settled communities and access to the strategic road network. It is proposed that the site at Oldbury Road, Gin Wood (site number 13) is the most suitable to progress into an Emergency Stopping Place for the North of the County. The site is in a reasonable location to meet the short term needs of travellers resorting to the north of the county as can best be anticipated from historic patterns.

3.3 If approval is given to pursuing the development of this site as the preferred site, further work would be carried out on investigation and design (including consultation with the fire and rescue service) and a detailed proposal would be submitted for testing and challenge through the planning process. At this stage, officers involved in the assessment can see no reason not to believe that the site can be made into a suitable site for the intended purpose which will meet planning criteria and the requirements of other relevant agencies and guidance. The other sites are considered to be less desirable due to issues including:

Site 8: Higher flood risk of adjacent highway. Flood risk management may be required in order to progress this site. Amenity and cohesion issues. Opportunity cost of the site for other purposes

Site 30: Health and safety risk posed by high traffic flow on adjacent highways.

Removal of park/ open space would have detrimental effect on the wellbeing of the local community.

Site 29: Remoteness, potential pollution, and potentially short term given planning status.

3.3 The revision of national planning policy in August 2015 does not affect the outcome of the evaluation. Development of the preferred sites can be delivered within existing financial resources.

4.0 Timescales associated with the decision and next steps

4.1 Subject to necessary approvals, it is planned to progress the implementation on an Emergency Stopping Place in the North of the County at the identified location.

4.2 This will be progressed via a planning application to WCC's Regulatory Committee in late 2015.

4.3 The consideration of such an application will be a separate process with safeguards to ensure that it results in an objective determination on the planning merits. The planning process will focus on whether the site is in a suitable location, whether its design meets planning requirements and whether any adverse impacts can be satisfactorily mitigated or are otherwise acceptable given the benefits that it will bring. The planning process involves consultation on these aspects of the proposal and it is not considered that public consultation at this stage on the process of site selection is practicable or would yield useful additional information.

4.4 Prior to the submission of the planning application informal discussion will be held with local Councillors and with North Warwickshire Borough Council.

Background Papers: None

Appendices

Appendix A: Site locations map and site details map

Appendix B: Initial Screening

Appendix C: Shortlist evaluation

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Appendix A: Site locations map and site details map



Appendix B: Initial Screening

WCC Miscellaneous Land - Predominantly residual land arising from former highways acquisitions

1 =
Unviable
5 =
Excellent

[P1] Preliminary List: Non-Highways Land

<u>PLAN REF (Shortlisted)</u>	<u>Ref</u>	<u>Gross area</u>	<u>Postcode</u>	<u>Green belt</u>	<u>Initial Score: DP</u>	<u>Comment</u>	<u>Land use</u>	<u>Name</u>	<u>District</u>	<u>Owner</u>	<u>Holding committee</u>	<u>Occupier</u>	<u>Flooding</u>
1	8	0.601	B78 2BE	Yes	4	Existing layby, isolated	Layby - surfaced	S.of Brick Kiln Lane, Middleton A4091	North Warks	WCC	Highways	WCC	No
2	16 (i)	1.576	B76 0BY	Yes	4	Large clear, adj caravans	Parking triangle	Kingsbury Road, Marston B4141	North Warks	WCC	Highways	WCC	No
3	5	1.053	B46 1RU	Yes	Next to M42	Secluded, clear, good	End of stopped up road	Coleshill Road, Gilson	North Warks	WCC	Highways	WCC	No
4	12	0.364	B46 1BG	Yes	Private Land	Good access, exposed	Clear area by island	A446 Stonebridge Road, Coleshill	North Warks	Private	Highways	WCC	No
5	17 (i)	0.54	B46 2RQ	Yes	4	Very good clear access	Grass enclosed triangle	Castle Lane / Hollyland, Shustoke	North Warks	WCC	Highways	WCC	No
6	a	3.667		No	Next to SSSI	Blight park & nature	Field	Pooley CP: A - Canalside	North Warks	WCC	Country Parks	WCC	No
7	b	15.334		No	Next to SSSI	Blight park & nature	Field	Pooley CP: B - Railside	North Warks	WCC	Country Parks	WCC	No
8	e	0.433		No	4	Blight capital disposal	Development value	Grendon Household Recycling	North Warks	WCC	Estates	WCC	No
9	R	0.506	CV9 2LA	No	4	Clear and no adj houses	Clear parking area	Merevale Lane, Baxterley Common	North Warks	WCC	Highways	WCC	No
10	U	0.975	CV9 2EH	No	Private Land	3rd party delay	Screened site	Watling Street / Merevale Lane, Grendon	North Warks	Dugdale/WCC	Highways	Private	No
11	D	0.682	CV9 3DX	No	4	Private, screened	Former road, surfaced	Gypsy Lane / Old Holly Lane / Rowland Way	North Warks	WCC	Highways	WCC	
12	H	0.788	CV9 1NG	No	Health and Safety	Exposed, clear, nr houses	Mown area	The Coppice, Mancetter	North Warks	WCC	Highways	WCC	
13	h	2.302		No	Amendities	Single carriageway	Open storage	Oldbury Road Site	North Warks	WCC	Highways	WCC	No
14	K	1.993	CV7 8BZ	Yes	Green Belt	Large wide but trees	Trees	B4102, Fillongley Mount Park	North Warks	WCC	Highways	WCC	No
15	L	1.185	CV7 8BZ	Yes	Green Belt	Large wide but trees	Trees	B4102, Fillongley Mount Park	North Warks	WCC	Highways	WCC	No
16	k	0.88		Yes	Legal Case/GB	Conflict of legal case	Traveller site	Corley View Traveller Site	North Warks	WCC	Smallholdings	Illegal occ.	No

17	i	12.667	CV10 9NJ	No	NBBC	Delay: 3rd party	Field	Valley Farm (Land & Buildings)	Nuneaton	NBBC	Farm	Private	No
18	R	0.547	CV10 7PH	Yes	Highway issues	Clear hardstanding	Former road, layby	Gipsy Lane, Nuneaton (nr Griff)	Nuneaton	WCC	Highways	WCC	
19	L	0.53	CV12 0BP	No	Highway issues	Adj football club	End of stopped up road	Park Farm, Smarts Road, Bedworth	Nuneaton	WCC	Highways	WCC	
20	K	1.05	CV12 0BU	Yes	Flooding/Houses	Possible residential dev	Adj allotments	Hayes Green Road	Nuneaton	WCC	Highways	WCC	
21	N (i)	0.279	CV7 9FX	No	M6	Good access, screened	Wide clear area	Longford Road, Coventry	Nuneaton	WCC	Highways	WCC	
22	N (ii)	1.11	CV6 6HL	No	4	Good access, screened	Wide clear area	Wilson's Lane, Coventry	Nuneaton	WCC	Highways	WCC	
23	N (iii)	0.377	CV7 9GA	No	Highway issues	Good access, screened	Wide clear area	McDonnell Drive, Coventry	Nuneaton	WCC	Highways	WCC	
24	N (iv)	4.418	CV7 9GA	No	Not a chance	Clear screened site	Large highways site	M6 Roundabout	Nuneaton	WCC	Highways	WCC	
25	W	0.536	CV7 9HX	No	4	Adj canal / golf course	Clear site	B4029	Rugby	WCC	Highways	WCC	
26	G1	1.026	CV23 0LY	Yes	Highway H&S	Large, some trees	Unused bend acq.	B4455 Coventry Road, Brinklow	Rugby	WCC	Highways	WCC	No
27	C1 (i)	0.345	CV8 3FZ	Yes	4	Screened clear, good	Corner, encroached	Coalpit Lane / Rugby Road	Rugby	WCC	Highways	WCC	No
28	n	4.952		Yes	4	Vis splay, road	Pasture	Frog Hall Former Landfill Fosseway	Rugby	WCC	Smallholdings	Davies	No
29	l	20.19		No	4	Quarry access	Arable	Barnwells Barn Farm A45/M45	Rugby	WCC	Smallholdings	Malpass	No
30	L1 (i)	1.915	CV22 6RT	No	4	Large wide, exposed	Wide mown open, trees	Dunchurch Road	Rugby	WCC	Highways	WCC	No
31	L1 (ii)	1.606	CV33 5QF	No	4	Surfaced, secluded	Stopped up, surfaced	Ashlawn Road / Bilton Fields Farm Lane	Rugby	WCC	Highways	WCC	No
32	N1	0.717	CV21 1PS	No	4	Screened clear, good	Grass, hedge screen	Old Leicester Road / Leicester Road	Rugby	WCC	Highways	WCC	Yes
33	Q1	1.567	CV21 1RZ	No	Highway	Large area, trees	Trees adj roundabout	Lower Lodge Avenue / A426 / Brownsover Lane	Rugby	WCC	Highways	WCC	No
34	P1	2.001	CV23 3FD	No	4	Adj commercial / highway	Trees, partial flood	Viaduct Close / Cottage Leap	Rugby	WCC	Highways	WCC	No
35	T1 (i)	0.595	CV23 0SG	No	Highway Vis	Large screened, access	Grass, some trees	Newton Manor Lane	Rugby	WCC	Highways	WCC	No
36	T1 (ii)	0.372	CV21 1UA	No	Highway Vis	Screened, limited space	Layby parking, trees	Newton Manor Lane	Rugby	WCC	Highways	WCC	No
37	U1	0.298	CV23 0EB	No	too small	Open area adj farm	Clear area, grass	Newton Lane	Rugby	WCC	Highways	WCC	No
38	W1	1.917	CV22 0AQ	No	Road extension	Large hardstanding	Clear hardstanding	Watling Street A5	Rugby	WCC	Highways	WCC	No
39	V1	0.435	CV21 4DT	No	Health and Safety	Clear area, no flooding	Canal wharf	Crick Road / Hillmorton Wharf	Rugby	WCC	Highways	WCC	No

Appendix C: Shortlist evaluation Summary Sheets

Summary Site Assessment Sheet	
Site Name: Spon Lane, Grendon	
Site Reference: 8	
<p>Commentary: Site identified in NWBC Development Plan for affordable housing and would require temporary planning consent. Site is on the edge of Grendon, 3 metres from the nearest house. Flood risk of adjoining roads poses a potential risk and would require further investigation and possibly some risk management measures</p>	
Criteria	Comments
Natural Environment and the Landscape	<p>The site is an old waste facility and surrounded a wall with two entrances secured by metal gates.</p> <p>There are no areas of greenery and the ground is concrete with its old drains.</p> <p>There will be no visual harm on the site as it was last used as a waste facility and it has high walls.</p>
Air, Water and Soil Quality	<p>The site is completely surfaced with concrete and therefore contamination is capped.</p> <p>An air quality survey will be required due to the site being adjacent to the A5 a major road.</p> <p>Water is from the mains.</p>
Flood Risk	<p>Environment Agency flood maps show no flooding risk from rivers or water ways.</p> <p>There is a low risk of surface water flooding and surrounding areas (including parts of the A5) are exposed to high risk</p>
Housing Need	Site identified in NWBC Development Plan for affordable housing
Local Services	<p>A proposed nursery is 650m away from the site with the nearest infant school 1.5 km away.</p> <p>The nearest secondary school is in Polesworth, approximately 4.2 km away.</p> <p>The nearest Doctors surgery is 2km in a westerly direction.</p> <p>The nearest small store is 1.7km away with larger stores both in Polesworth and Atherstone</p>
Highways	<p>Previous use of this site included an 'in out' scheme with no reported accidents</p> <p>This site would need directional access and road signing.</p>

Summary Site Assessment Sheet	
Site Name: Oldbury Road / Gin Wood	
Site Reference: 13	
<p>Commentary: The development of this potential site is considered to lead to long term positive effects and would meet the identified need. It is close to both Nuneaton and Bedworth and would be with easy reach of any of the areas within the north of Warwickshire.</p> <p>The site could be made secure and is away from immediate build up areas having a low impact on neighbouring houses.</p> <p>From the site evaluation, there are no reasons that would prevent this site from being used as an Emergency Stopping Place</p>	
Criteria	Comments
Natural Environment and the Landscape	<p>The site is surrounded by trees and would need little if any landscaping.</p> <p>A barrier between the site and the wood would be required to protect the natural environment.</p> <p>There is already hard standing with enough ground area to support 10 or 12 caravans depending on site design.</p>
Air, Water and Soil Quality	<p>The area is on a minor road and the air quality is considered good and a survey is not considered necessary.</p> <p>The ground is capped and therefore as long as the hard standing already in place is used, there would not be a need to do a ground survey for contaminated soil.</p>
Flood Risk	Environment Agency flood risk maps suggest low risk of flooding.
Housing Need	<p>North Warwickshire have a low level of unauthorised encampments while Nuneaton and Bedworth have a high number</p> <p>Both authorities have (through their GTAA) a requirement to provide such a site.</p> <p>It is envisaged that the site would meet the required need and reduce the burden on both authorities.</p>
Local Services	<p>The nearest schools are approximately 1.9 km in the south easterly direction is a Nursery and 2.6km easterly is the Infant School.</p> <p>Hartshill Secondary is within 2.6km of the site.</p> <p>The nearest Doctors surgery is 3km from the site with the nearest hospital is in Nuneaton both considered to be a reasonable distance from the site.</p> <p>There is a small shop near the secondary school and larger supermarkets in Atherstone or Nuneaton.</p>

Highways	Highways have carried out a mean speed survey - this shows the visible spray required can be met and there would be no objection to the site entrance.

Summary Site Assessment Sheet	
Site Name: Land Adjacent to Dunchurch Road, Rugby	
Site Reference: 30	
<p>Commentary: This site meets all the needs and could be a long term solution, however this is within a built up area and has been manicured to look like a park with pathways to the shops and other areas. It is used for the locals to walk their dogs and is seen as an open space. The loss of such provision would have a negative impact on the Wellbeing of local communities</p> <p>Higher traffic flow presents a potential Health and Safety risk – further investigation would be required and mitigating measures put in place should this site be progressed</p>	
Criteria	Comments
Natural Environment and the Landscape	The site is in an open area and would require extensive landscaping around the whole site. The visual impact on the area would be significant, as at present the area is park like ground.
Air, Water and Soil Quality	The area is adjacent to a highway and an air quality survey would need to be carried out
Flood Risk	Environment Agency flood risk maps for both natural flooding and surface water show no known flooding problems and would be consider an extremely low risk.
Housing Need	Rugby Borough Council have a high number of unauthorised encampments and through their GTAA a need to provide such a site. It is envisaged that the site would meet the required need and reduce the burden on neighbouring authorities.
Local Services	The nearest infant school is 580m away The nearest junior school is 250m away The nearest secondary school is 1.2km away The nearest doctors surgery is 1.5km away The nearest supermarket is 200m away
Highways	An entrance would have to be created, subject to Highways authority approval With the speed limit at 40mph the required visual distance required could be achieved

Summary Site Assessment Sheet	
Site Name: Land at the junction of the A45/ M45	
Site Reference: 29	
<p>Commentary: Development of this potential site is considered to lead to short term positive effects. The site is a large farmers field which only part would be required.</p> <p>The land has potential for other uses including minerals and housing, therefore the cost of development against the term of use would have to be evaluated and another site identified for the long term.</p> <p>This site may be challenged when trying to enforce Sect 62A due to the distance from both North Warwickshire and Nuneaton.</p>	
Criteria	Comments
Natural Environment and the Landscape	<p>Surveys would be required to ensure that there are no negative environmental or ecological impacts of development.</p> <p>This site would require a full landscaping scheme.</p>
Air, Water and Soil Quality	<p>This site would require all the surveys including testing the ground for contamination.</p> <p>Due to proximity to the M45, a noise and air quality survey would be required.</p> <p>It is not known how close the nearest water supply is from any part of the site.</p>
Flood Risk	Environment Agency Flood Risk maps show no known risk from natural or surface water flooding
Housing Need	Rugby Borough has one of the highest number of unauthorised encampments and therefore the need within the GTAA would be met.
Local Services	<p>The nearest school is 2km away from the site and the secondary schools are in the centre of Rugby which would be over 5km.</p> <p>The nearest Doctors surgery is over 4km away with the nearest hospitals either in Rugby or Warwick.</p> <p>The nearest shop is over 3km and the supermarkets are in Rugby Town.</p>
Highways	Proximity to A45 and M45 would mean that fuller highways modelling would be required