

QUESTIONS FROM WESTHAMPNETT PARISH COUNCIL TO BE PUT TO CHICHESTER DISTRICT COUNCIL ON TUESDAY, 17 DECEMBER 2013

1 Why has there been a lack of prior consultation with the village over this proposal?

A. Officers approached the Parish Council on 25 November, as soon as they knew the option was viable, following a meeting with the other local authorities in West Sussex on 20 November. The report in front of Council today sets out the consultation mechanisms in Section 9 and the Planning process will be the appropriate mechanism to consider representations submitted in respect of the proposed Transit Site.

2 Why did Westhampnett Parish Council have to instigate a public meeting when it should have been Chichester District Council's obligation to advise the residents of their proposal?

A. Officers visited the Parish at the earliest opportunity and consulted with the Parish Council about the best way to engage with the residents. They had intended to arrange a meeting, following the outcome of Cabinet and Council consideration of the proposal, but the Parish Council chose to arrange a public meeting in the meantime and invited CDC officers to attend.

3. Why has the proposal been rushed towards a planning application before comprehensive designs are in place?

A. Approval of Council is required before officers can commence the full design of the site or submit a Planning Application. If approval to develop the site is given today, design consultants will be appointed in January to work on the detailed plan. The detailed design will be available as part of the Planning process.

4. Without designs how has the proposal been costed?

A. The report to Council makes it clear that at this stage it is only possible to provide a range of budget estimates for the work. We identified four similar sites and the proposals for Westhampnett and the costs of these completed projects range from £800k to £1.2m. Estimates have also been added to cover the likely costs of site clearance and demolition, a new road access, fencing and screening, drainage, new services, professional fees and a design contingency to cover site unknowns – see 18 (Foul water disposal) below. The works budget will be dependent upon a number of factors as set out in the Project Initiation Document (PID). The full report and the PID were made available to the public on 25 November.

5. If costs are based on empirical evidence where is the evidence that the information available matches the Stane Street site conditions?

- A. *The design scope for the scheme has been based on the published government good practice guidelines – see <https://www.gov.uk/government/publications/designing-gypsy-and-traveller-sites-good-practice-guide>*

The scheme and site characteristics have been discussed with officers from WSCC and the Homes and Community Agency and they have confirmed that the scheme proposed for Westhampnett is similar to those schemes that they have previously delivered.

6. Why has there not been openness regarding time restricted grant monies available for the development?

- A. *The Council has been open regarding the time restricted grant money available. Paragraph 8.5 of the report clearly sets this out.*

7. Why is there a lack of evidence regarding extensive alternative site studies?

- A. *The land that CDC owns comprises:*

Car parks – which are not suitable

Parks and open spaces – which are not suitable

Industrial sites – which are currently in full use.

Land at Barnfield Drive – is under contract to a commercial developer

Plot 12, Terminus Road – has been earmarked for a commercial enterprise.

The possibility of using the Depot site came about as an opportunity because we were looking to refurbish the Depot and this work would free up a small pocket of land. It had not been considered until 29 July when the Chief Executive was given a conducted tour of the whole Depot site in connection with the proposed refurbishment.

On 25 September 2012 a letter was sent to land-owners, developers, landed estates and land agents asking them to assess land available for development, including land available for Gypsy & Traveller provision. Of the three sites suggested, two were within an area of high flood risk and the third was subsequently withdrawn.

8. Where is the availability of proof that no alternative accommodation is available on established permanent sites?

A. *Practical experience dictates that mixing permanent and Transit provision is not successful. See paragraph 8.2. of the DCLG Guidance on the design of Gypsy & Traveller Sites.*

9. If the extensive studies undertaken by CDC have been conducted they must have taken a lot of time to complete; why has the proposal only just been put to the Parish and why has no evidence been presented?

A. *See 7 above.*

10. When a planning application is submitted the suitability of design and purpose is considered, along with the ability of the proposal to sit comfortably within the surroundings. How will this proposal be evaluated?

A. *In the event that a planning application is submitted, the main planning issues to consider would be the need for a transit site in this location; the suitability of the location in terms of transport accessibility; the visual impact of the development; the impact on the amenities of neighbouring uses; the quality of environment for future occupiers of site and the loss of employment land. Once the application has been registered, a formal consultation process with various statutory and non-statutory consultees would be carried out. These would include West Sussex County Council as the Local Highway Authority and the Council's Environmental Health Service.*

The professional assessment of the application would be undertaken by the planning case officer. The identified planning issues would be assessed principally against relevant policies in the adopted Local Plan and national guidance contained in the NPPF and the government's 'Planning policy for traveller sites' document' and any other relevant guidance such as the recently completed Gypsy and Traveller and Travelling Showpeople Accommodation Assessment for the Coastal West Sussex Authorities.

11. What criteria have CDC applied to this proposal when considering it for acceptance?

A. *Since July, when the site was first identified as a possibility, advice has been taken from Environmental Health, Planning, the HCA, the DCLG Guidance and also technical construction advice. The three key issues from the DCLG guidance are:*

Proximity to main routes

Proximity to traditional Traveller routes

Access to services.

- 12. The proposal involves demolition of existing structures and the construction of some form of serviced hard standing; what is the financial break down of this exercise when compared to letting the renovated buildings as small industrial units?**

A. The District Council's Cabinet has already received a report and Project Initiation Document (PID) in July 2013 (part 1) on the long term future of the depot, which identified in para 6.3, Option 2, that these 'ancillary structures' i.e. former storage buildings, are only suitable for demolition. These buildings are unsuitable for modern use due to their poor condition and asbestos content. It is therefore uneconomical to renovate these structures to provide any practical future use.

Also, the location of these structures is particularly restrictive to HGV traffic movements on site and removing them will address issues of health and safety. The Council has also been urged by the HSE to find a better traffic management arrangement on site to limit the amount of HGV reversing currently required and removing these structures will enable a one way traffic management system to be implemented.

Therefore, in July this year, Cabinet agreed to further explore a solution i.e. Option 2 in the PID, for the depot, to remove these buildings and, in so doing, to release an area of the site for other uses.

The estimated cost of the scheme is in the region of £1.2-£1.3m. The value of this land for industrial rental is estimated to be within the region of £21,500 per annum. See paragraph 8.4 of the report.

- 13. Intended expenditure of public funds, £1.3 million, on the site when no budgets exist to service resident's infrastructure problems, including drainage, highway maintenance, sewage, verge maintenance, speed control, adequate school provision, Police presence.**

A. The Planning process will deal with all infrastructure issues. Many of the concerns raised in this question – drainage, highway maintenance, sewage, verge maintenance, speed control, school provision and Police presence – are not functions of the District Council.

- 14. Why not spend £1.3 million on getting the law adjusted to provide the police with more powers regarding evicting Gypsy occupying illegal sites? As a multi-district cross boundary financial sharing exercise it would benefit the whole country.**

A. *CDC has, through the Deputy Leader of the Council, raised the difficulties the District Council and the Parish Councils have suffered with the very high number of unauthorised encampments with the Government. However, we have no powers, as a District Council, to make or change the law.*

15. This proposal will increase traffic flow across Stane Street in and out of the site directly opposite a proposed new housing development.

A. *Compared with the volume of traffic currently using the road to the waste transfer site and the CDC Depot, the volume of traffic using the Transit Site would be very minor. That site would need a new access and approval for this has been sought from the Highways team at the County Council. A Road Safety Audit has been carried out and will be considered as part of the Planning process.*

16. What provision is there for convoys waiting to be admitted to the site, vehicles parked on Stane Street will present a very real danger to passing traffic?

A. *There is no expectation that this situation will arise as arrivals will be by prior agreement and direction. The recommended route will be from the east.*

17. Decreasing ability of house sales due to reduction in street scene attraction and proximity of the encampment – it's no good saying there is no evidence that this will take place because it does and a lack of house take up provides another problem when addressing the existing housing problem.

A. *The visual impact will be part of the Planning consideration and we aim to screen the site to address that issue. However, there is no evidence that the presence of a site will affect house prices.*

18. This proposal involves expanding the population by at the very least 20 adults more likely to be 40, how will the overburdened foul water system cope with this increase in usage.

A. *The proposed site for the G&TT site does not have a mains drainage connection to the Public sewer. The closest connection is located at the north east corner of the depot site. The proposed site would need one of the following:*

- *A private sewage treatment plant,*
- *a cesspit; or*
- *a connection via a new pumping chamber and main to the existing connection on site, which connects to the Public sewer.*

The preferred solution would be to connect to the public sewer. To achieve a public sewer connection, an application to Southern water would be required

for them to undertake a capacity check. Such a survey takes 25 working to complete. The Council would then receive notification from Southern Water. The preferred option to be addressed by the appointed consultants.

19. How will the March School cope with upwards of 20 new children when their numbers are oversubscribed as it is?

A. *The County Council would expect parents on the site to make an in-year application in the normal way.*

If a place was available in the year group at the school this would be offered. If a place was not available the parents would be offered the next nearest school with a place. Parents could join a waiting list and take their case to an independent appeals panel. Any waiting list would also be ranked according to the school's oversubscription criteria. Gypsy and Traveller children have no priority above anyone else.

The March CE (Aided) Primary School, as an own admissions authority school, has its own criteria.

In practise this would be facilitated by one of the Traveller Education team visiting the family and completing In Year application forms, as necessary. These would then be submitted and await a reply. Although March Primary is the catchment school for Westhampnett, families do not necessarily have to apply for that school. If they did and March was full the next nearest school with a space would be offered.

The Traveller Education Team would then assist in starting arrangements and would also offer advice to schools where necessary.

20. How will the administration of medical and educational needs be accommodated when the numbers and identities of approximately 40 people change every three months?

A. *The addition of up to 40 people will have minimum impact on public services. The nature of the people and the population is that they are transient and there is no more likelihood that they will need access to services. CDC is working with other agencies and will be able to indicate to them any needs that are required. Information leaflets, regarding access to services, will be provided to users of the site on arrival and these will have been prepared with the agreement of the relevant agencies.*

21. What are the on-going clean-up costs every three months?

A. *It is anticipated that an on-going revenue budget of about £80,000 will be required and this will be split between the 8 local authorities in West Sussex. CDC's contribution will be in the region of £10,000 and will cover the management and running of the site.*

22. What are the stewardship costs?

A. *See 21 above.*

23. How will residents' safety concerns over dogs and abusive children when passing the site be addressed?

A. *There will be rules of conduct on the site. There will be on-site supervision and if complaints are received they will be investigated and dealt with in the normal way. If people fail to comply with the conditions they will be evicted.*

24. Is it the Council's intention to provide ultimatums and disregard the residents' views and wishes or provide clear undertaking to answer the understandable concerns?

A. *There are two decision stages to go through – the approval by Members of Council and the Planning process. If approval is received at both these stages, the Council will work closely with Westhampnett Parish Council to ensure the site is designed and managed properly. The Council has to balance many competing priorities and in this case it is the needs of the local residents and the needs of the Gypsy & Traveller population. It is for the elected Members to balance these needs and decide whether the provision of a Transit Site at Westhampnett is the best solution to assist with the problem of unauthorised encampments.*

25. Is the Council confident that their actions will be upheld when presented to the Ombudsman?

A. *Yes. CDC has to balance its responsibilities and duties against the concerns of residents and is trying to do that. If the Council approves the recommendations in front of them today, officers will be undertaking a full engagement process with all affected parties.*