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<u>Item</u>
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## **GYPSY AND TRAVELLER TRANSIT SITE PROVISION IN SHROPSHIRE – IDENTIFICATION OF TEMPORARY SITE**

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### **1. Synopsis**

- 1.1 This report provides an update to the proposed development of transit provision for the Gypsy and Traveller community within the county of Shropshire to provide short term pitches for 'non - resident' Travelling families and assist in the management of unauthorised encampments.

### **2. Executive Summary**

- 2.1 As agreed by Cabinet at its meeting on 4<sup>th</sup> March 2020, a period of consultation has been undertaken in respect of the proposed development of a temporary five-year Gypsy and Traveller transit site on land ("the Transit Site") abutting the Ellesmere Road Roundabout between the A5124 Battlefield Link Road and the A528 Shrewsbury Road, on the North-West edge of Shrewsbury ("the Proposal"). A location plan is attached as Appendix 1

### **3.0 Consultation**

- 3.1 Shropshire Council carried out a consultation between 1<sup>st</sup> October 2020 and 14<sup>th</sup> December 2020 on the Proposal. The consultation was designed to gather views relating to the Proposal and to inform next steps for implementation. The delay in responding to the consultation is due to factors relating to the Covid outbreak and the priority shift to manage our Gypsy & Traveller sites which included supporting an array of internal and external departments to contain the number of outbreaks and to maintain a high level of support. The Council also continued to support those who continued to travel unauthorised during that period.

- 3.2 A transit site fact sheet was provided to explain the proposal and enable more informed consultation responses. The factsheet provided a summary on the background of the proposal, location, the need for the Transit Site, site layout and how to get in touch with views. The factsheet is attached as Appendix 2.
- 3.3 The consultation was promoted widely within Shropshire, across members of the public, local businesses, local Policing team and the local member. The consultation was hosted on the 'get involved' section of Shropshire Council's website and a range of communications were issued to direct people to the consultation including a Newsroom press statement on 2<sup>nd</sup> October 2020 and articles in local newsletters.
- 3.4 All responses were made in writing by email or by post and in total 55 responses were received.

The overall view on the proposal is:

- 10 Strongly agree. Although there were some concerns about the location of the proposal, there is overall support for the provision of a dedicated site.
  - 6 Agree
  - 4 Neutral or mixed views
  - 18 Disagree
  - 17 Strongly disagree. Concerns were raised regarding crime and antisocial behaviour, littering and damage, traveller behaviour/ culture and location
- 3.5 It is important to note that the consultation did not result in many responses. Overall, there were more concerns expressed about the consultation proposals than comments in support of the proposals. However, opinion was mixed and the aim to reduce unauthorised camps was widely supported.
- 3.6 Several common issues were mentioned within the consultation responses and qualitative analysis techniques were applied to categorise feedback themes
- 3.7 **Feedback themes**

- Location and Site
- Traffic and Infrastructure
- Impact of development
- Crime and antisocial behaviour
- Littering and damage
- Traveller behaviour/culture
- Impact on business

- 3.8 There were concerns expressed about the consultation proposal however, the aim to reduce unauthorised camps was widely supported within the feedback received. A number of the concerns raised could be mitigated by working closely with multiple agencies including the Council's enforcement teams, local policing team, Council's gypsy liaison service, local businesses and the local community. Having robust procedures and good behaviour agreements in place before allowing the site to be occupied will allow proportionate action to be taken against those who do not comply with the rules of stay. This will include eviction from the site. The site will also be managed and monitored during the by the Council's experienced Gypsy & Traveller Service.
- 3.9 With regard to the concerns about the location of the proposed site, these were more general in their context and related to impacts on local property prices, increase in crime in the locality of the site, littering and the potential for fly tipping. These have been addressed through the report and some of which will also be considered during the planning process. In summary a range of sites were considered against key requirements and criteria. In undertaking the evaluation the following key considerations were assessed, and the recommended location was deemed the preferred site:

### 3.10 **Considerations**

- Locality of site and ability of users to physically access the site and its facilities
- Land ownership, potential difficulties with acquisition, title issues and timescales.
- Site size, condition and remediation costs.
- Amenity and other planning issues.
- Local infrastructure and services.
- Potential delivery complications.
- Policy framework
- Site infrastructure requirements including utilities
- Constraints such as ecological, heritage, flooding and highway considerations.

These considerations have been assessed and addressed within section 5.

- 3.11 In summary it is important to note that the consultation did not result in a large number of responses (55 in total). However, opinion was mixed and the aim to reduce unauthorised camps was widely supported within the feedback received.

- 3.12 The Consultation Survey Report is attached as Appendix 3

#### **4. Recommendations**

- 4.1 That Cabinet approve the preferred location of the Transit Site as identified in the Appendix 1.
- 4.2 That Cabinet approve the addition of £0.271m to the Capital Programme for the development of the Transit Site to be funded by a combination of capital receipts and grant.
- 4.3 That Cabinet delegate responsibility to the Assistant Director, Commercial Services, in consultation with the Portfolio Holder for Physical Infrastructure to submit an application for temporary planning permission for the Transit Site
- 4.4 Subject to planning permission, that Cabinet delegate responsibility to the Assistant Director, Commercial Services, in consultation with the Portfolio Holder for Physical Infrastructure to progress a procurement and delivery strategy and implement the works to develop the Transit Site.

### **REPORT**

#### **5. Risk Assessment and Opportunities Appraisal**

- 5.1 A number of issues related to the proposal have been identified which are set out in the table below together with relevant mitigation.
- 5.2 There would be environmental benefits of a transit site that can be kept serviced as opposed to economic and environmental costs associated with frequent clean-ups of unauthorised sites. This is combined with efficiency savings for Council services and other agencies relating to travel to one transit site as opposed to several other temporary unauthorised sites across the County.
- 5.3 It is considered that the project provides the potential to secure necessary 'fit for purpose' and affordable Gypsy and Traveller transit provision within local authority control for the county of Shropshire, albeit on a temporary basis. This could, within a reasonably short timescale, deal with the ongoing and costly issues of unauthorised encampments and the associated impact on local communities and businesses whilst longer term site provision is considered.
- 5.4 Conversely, there is the potential impact of not progressing with the project such as:

- Risk of ongoing disruption to local businesses and facilities by unauthorised use.
- Ongoing significant costs to the Council and private businesses associated with Court costs, bailiff costs, disruption to businesses, and clearing up following unauthorised encampments. Example: between 2015-2022 unauthorised costs to private companies on Shrewsbury Business Park is £92,000.

5.5 The 2017 Gypsy & Traveller Accommodation Assessment (updated 2019) recommends additional complementary transit pitch provision by the Council, even on a temporary basis, would support transit capacity and the ability to manage unauthorised encampments.

5.6 The failure to develop the transit site would have a negative impact on the following:

- Continuing the current problem of unauthorised development and encampments, as well as tensions with the settled community;
- Restricting the ability to enforce against unauthorised development as the ability to enforce is related to how proactive the council is in meeting the need for sites;
- increasing the difficulty of ensuring that the Gypsy and Traveller community has access to all the support and services they need including; welfare, health and education needs.

5.7 A number of risks associated with the delivery of this project have been identified and these are summarised below together with mitigating actions:

<b>Risk</b>	<b>Mitigation actions</b>
Failure to get temporary planning permission results in development of transit site being impeded.	Commence consultation post Cabinet approval and progress planning application.
Failure to communicate and engage effectively and positively with local businesses results in inability to obtain their support for the scheme.	Appropriate consultation undertaken.

<p>Failure to communicate and engage effectively and positively with Historic England due to the adjacency to the historic battlefield results in the inability to obtain their support for the scheme.</p>	<p>Liaison with Shropshire Council Historic Environment and Development Management officers to discuss the detail of the proposals.</p>
<p>Failure to consider the impact of the NWRR construction could result in the site being unavailable for use.</p>	<p>Liaison with NWRR project lead will ensure that ongoing use of the Transit site is not impeded by use of peripheral areas for works associated with the NWRR project.</p>
<p>Ecological survey to be completed for impact on the environment the outcomes of which could result in failing to obtain required planning permission and damage to biodiversity.</p>	<p>Initial desktop survey work undertaken to inform on potential presence of protected species has not identified the potential presence of any protected species. and the report would form a supporting document within any future planning application</p>
<p>Failure to identify required services connection costs could result in not delivering the project within the allocated budget.</p>	<p>Appropriate surveys to be undertaken and further mitigation to be taken following survey results.</p>
<p>Inadequate site management arrangements in place when finalised, results in the management of the site being compromised.</p>	<p>Proper project management processes to be adopted.</p>
<p>Failure to identify future budget requirements of the site results in the site not being maintained following completion.</p>	<p>Basic construction to reflect the temporary nature of the transit site. .</p>
<p>Insufficient contractors available to undertake the works required results in programme and delivery delays.</p>	<p>Monitor availability of contractors ahead of any tender process.</p>

Inability to predict additional travellers arriving when the site is full results in insufficient capacity.	The project will have met the requirements of the local plan in terms of demand but will be subject to ongoing review
Insufficient collection of rents and revenue from transient travellers results in inability to offset costs of delivery of site.	Robust processes and procedures to be set out in the management of the Transit site

5.8 It is anticipated that the site will have a positive impact on Gypsies and Travellers and community relations between traveller and settled communities and that it will, in so doing, promote equality through progress with the national quality aim around fostering good relations. This was highlighted in the ESHIA, a copy attached as Appendix 4.

5.9 There were a number of considerations with regard the preferred location and key themes. The following points consider and address the areas of concern about the location:-

- The location of the site enables easy access to the A5 and other main road networks which traditionally provide a travelling corridor for the families who pass through the county and pitch unauthorised.
- The location site is more than adequate in size (3.6ha) to accommodate the transit site(0.5ha) and will enable it to be developed in a sympathetic manner to minimise the visual impact by using the established trees and hedges as a screen.
- The location is close to local services and amenities
- The location is based within the geographical hot spot area for unauthorised groups
- The site location area is within Shropshire Council ownership

5.10 The local member has been updated on the progress of the report and rational to proceed

## **6 Financial Implications**

6.1 An indicative scheme drawn up for provision of a basic facility to the standard required for temporary provision has provided guidance on expected capital and revenue costs.

6.2 The likely costs of construction for this form of basic transit facility are estimated to be in the region of £0.271m including fees. The land is within the freehold ownership of the Council, and there is therefore no additional cost burden for land acquisition.

6.3 Regarding revenue implications, the income generated through rent charges is estimated at £7,040pa generated from a weekly charge of £80pw per plot at 100% site occupancy for 11weeks pa, with employee, maintenance and running costs of £4,000pa (£500 per plot pa), thus generating a potential net surplus of £3,040pa. Management of the site would be undertaken by the Council's Gypsy and Traveller Service, keeping management costs to a minimum.

6.4 Unapplied Homes & Communities Agency (HCA) grants totalling £0.076m arising from savings on previous gypsy and traveller site schemes are available to part fund this proposed scheme.

6.5 As the scheme will be income generating, the remaining funding requirement of £0.195m could be met from borrowing. Borrowing of £0.195m at 2.5% over 25 years would result in an annual revenue budget liability of £0.011m. However, as this scheme will only achieve temporary provision it would not be prudent to assume borrowing over a 25-year period. Borrowing over a much more reasonable 5-year period would result in an annual revenue budget liability of £0.042m. The borrowing costs cannot be met from the potential net surplus of the site estimated at £0.003m. The annual revenue budget impact effectively excludes borrowing as a method of financing the remaining cost of the scheme.

6.6 A Gypsy & Traveller Transit Site scheme was previously approved by Council. The scheme was detailed in the 2017-18 capital programme and was to be financed by capital receipts. A variety of pressures resulted in this scheme not being progressed, and the associated capital receipts were subsequently released. As the currently proposed Battlefield scheme effectively replaces the previously approved and borrowing as a financing method is not appropriate, it is reasonable to reallocate the previously identified capital receipts to fund the Battlefield proposal.



## **7 Climate Change Appraisal**

- 7.1 Making planned provision for a Transit Site will limit the environmental impact of unregulated visits and stays on other sites, including limiting pollution and damage to the natural environment.
- 7.2 Landscaping of any new site could provide some additional carbon capture and storage potential through appropriate screening and planting. This will be considered accordingly should plans progress.
- 7.3 The design of any future site will ensure it is a safe environment for its temporary occupants and will mitigate any exposure to impacts from external environmental factors both human and physical.

## **8 Background**

- 8.1 The Council has freehold ownership of an area of land extending to 3.60ha which lies abutting the Ellesmere Road Roundabout between the A5124 Battlefield Link Road and the A528 Shrewsbury Road on the North-West edge of Shrewsbury.
- 8.2 The land is currently used for grazing purposes, but this area would be directly affected by the northerly junction of the proposed North West Relief Road, and longer-term proposals for land uses in this vicinity therefore remain 'fluid' at present.
- 8.3 Heritage considerations have been identified, and work is currently in progress, drawing on information provided by the Council's Historic Environment and Planning Policy teams, to consider assessments of landholdings in this area of the town and potential impact on the setting of the Registered Battlefield. Formal pre-application consultation with Historic England is planned to review any potential heritage constraints to development.
- 8.4 As an interim measure, the site has been identified as suitable for the provision of a temporary transit site for gypsies and travellers. The transit proposal would provide a site to accommodate up to 8 families for periods of up to three weeks at any one time.
- 8.5 The Transit Site would accommodate the gypsy and traveller community who are temporarily staying in the county who may otherwise occupy unauthorised sites. The Transit Site may also aid those waiting for a permanent pitch on one of the Council owned and managed caravan sites.

## **8.6 The need for Gypsy and Traveller Transit Provision in Shropshire**

8.6.1 The Transit Site is proposed to be located in North Shrewsbury which has been a particular focus for unauthorised encampment activity. The delivery of this site will resolve some of the issues associated with a number of unauthorised encampments experienced by the Council over the last five years on high profile sites/locations such as the Park & Ride sites and Battlefield Enterprise Park.

8.6.2 Subject to obtaining planning permission for this proposal, the land at Battlefield would provide opportunity for development of this much needed facility until a more permanent location can be identified.

## **8.7 Gypsy and Traveller Accommodation Assessment (GTAA) and Planning Policy Considerations**

8.7.1 National planning policy for gypsy and traveller sites requires local authorities to identify and seek to meet the accommodation needs of Gypsies and Travellers, including transit provision.

8.7.2 There is a longstanding commitment to identify a site for transit provision in Shropshire as set out in the Core Strategy Policy CS12 (March 2011) which forms part of the adopted Local Plan for Shropshire. This commitment was reconsidered and reaffirmed as part of the examination of the subsequently adopted SAMDev Plan which also forms part of the adopted Local Plan for Shropshire. The SAMDev Plan Inspector required an early Plan review to include an update of housing including gypsy and traveller requirements.

8.7.3 The Gypsy and Traveller Accommodation Assessment 2017 (GTAA) which was published to underpin the ongoing Local Plan Review process identified a need for a transit site for around 8/10 pitches. The update to this evidence to consider and address current transit needs highlights that Shropshire Council have now granted planning permission for 3 private transit pitches which may address the planning requirement, but that additional Council provision could complement the private site and support transit capacity. The report also identifies the need for the monitoring of the impact of the private provision

8.7.4 The Gypsy and Traveller Accommodation Assessment (GTAA 2019) provides an up to date assessment of existing provision and evidence of the likely future pitch needs, both permanent and transit, of Gypsies and Travellers in Shropshire. This identifies a role

for Council transit provision, complementary to existing private provision, to support transit capacity and the ability to manage unauthorised encampments. In examining the draft Shropshire Local Plan the Planning Inspectors will consider whether adequate provision is being made to meet needs.'

## 8.8 Proposed Development

8.8.1 The proposal for a transit site is to accommodate up to 8 families for short periods of time, not exceeding three weeks at any one time.

8.8.2 The proposed site would be of basic construction, with a stone or grasscrete base, portable toilet block units (which will be removed during no occupation periods to prevent vandalism), CCTV, Perimeter Fencing and Height Restriction barriers on the entrance to the site. In this respect, it will remain relatively 'temporary' in its form and provision and will respect the setting of the land adjacent to the Registered Battlefield. Construction details will reflect guidance contained within the Battlefield Design Guidance draft document.

## 8.9 Next steps

8.9.1 Subject to Cabinet approval, work would be undertaken to prepare a planning application seeking approval for the Transit Site for a period of up to 5 years.

8.9.2 It is anticipated that the timescale for submission of a full planning application for the transit site and subsequent stages for construction of the facility will be up to 12 months.

## 9 Conclusions

9.1 To proceed with an application for temporary planning permission on the location identified on land identified at Battlefield, Shrewsbury for use as a temporary Gypsy and Traveller transit site.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

**Gypsy and Traveller Accommodation Assessment 2017**  
Battlefield Design Guidance – Draft – Supplementary Planning Document (SPD) (not dated)

**Cabinet Members:**

Portfolio Holder for Physical Infrastructure Cllr Dean Carroll

**Local Members:** Jeff Anderson

**Appendices:**

Appendix 1: Location Plan  
Appendix 2: Fact Sheet  
Appendix 3: Survey Report  
Appendix 4: ESHIA