

Meeting	LOCAL PLAN ADVISORY COMMITTEE
Time/Day/Date	6.30 pm on Wednesday, 27 July 2016
Location	Council Chamber, Council Offices, Coalville
Officer to contact	Democratic Services (01530 454512)

All persons present are reminded that the meeting may be recorded and by attending this meeting you are giving your consent to being filmed and your image being used. You are kindly requested to make it known to the Chairman if you intend to film or record this meeting.

The Monitoring Officer would like to remind members that when they are considering whether the following items are exempt information under the relevant paragraph under part 1 of Schedule 12A of the Local Government Act 1972 they must have regard to the public interest test. This means that members must consider, for each item, whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available to the public.

AGENDA

Item	Pages
1. ELECTION OF CHAIRMAN	
To elect a Chairman for the ensuing municipal year.	
2. ELECTION OF DEPUTY CHAIRMAN	
To elect a Deputy Chairman for the ensuing municipal year.	
3. APOLOGIES FOR ABSENCE	
To receive and note any apologies for absence.	
4. DECLARATION OF INTERESTS	
Under the Code of Conduct members are reminded that in declaring disclosable interests you should make clear the nature of that interest and whether it is pecuniary or non-pecuniary.	
5. MINUTES OF PREVIOUS MEETING	
To approve the minutes of the meeting held on 18 April 2016.	3 - 8



6. COMMITTEE TERMS OF REFERENCE

Terms of Reference attached.

9 - 10

7. GYPSY AND TRAVELLER SITE ALLOCATION DPD: PROGRESS REPORT

Report of the Director of Services.

11 - 24

Circulation:

Councillor R D Bayliss
Councillor J Bridges (Chairman)
Councillor J Cotterill
Councillor R Johnson
Councillor J Legrys (Deputy Chairman)
Councillor V Richichi
Councillor M Specht

MINUTES of a meeting of the LOCAL PLAN ADVISORY COMMITTEE held in the Council Chamber, Council Offices, Coalville on MONDAY, 18 APRIL 2016

Present: Councillor J Bridges (Chairman)

Councillors J Cotterill, R Johnson, J Legrys, V Richichi and M Specht

In Attendance: Councillors S McKendrick and T J Pendleton

Officers: Mr M Sharp (Consultant), Mr S Bambrick, Mr I Nelson, Mr J Newton, Mr S Stanion and Mrs R Wallace

29. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor R D Bayliss.

30. DECLARATION OF INTERESTS

There were no interests declared.

31. MINUTES OF PREVIOUS MEETING

Consideration was given to the minutes of the meeting held on 9 March 2016.

It was moved by Councillor J Legrys, seconded by Councillor V Richichi and

RESOLVED THAT:

The minutes of the meeting held on 9 March 2016 be approved and signed by the Chairman as a correct record.

32. COMMITTEE TERMS OF REFERENCE

RESOLVED THAT:

The Terms of Reference be noted.

33. DRAFT LOCAL PLAN - CONSULTATION RESPONSES

An update regarding an additional consultation response was circulated to Members at the meeting.

The Director of Services presented the report. He explained that the issues not dealt with at the previous meeting in March were addressed within the report and referred Members to the number of tables that accompanied the report which were available to view online. The tables detailed all consultation responses and the recommendations to address them. He stressed that the housing requirement figure was a critical part of the plan and was set at a higher level to take account of the potential impact of the then proposed Roxhill development on the number of jobs in the district compared to those assumed in the Strategic Housing Market Assessment (SHMA). He confirmed that as this was now a consented scheme it was required to show the impact and therefore an independent consultant who worked on the SHMA had been commissioned to undertake the additional work on providing evidence of the impact; this work had not yet been completed. He added that if the result of this additional work meant significant changes then it would affect the plan and could mean another round of consultation but this could not be confirmed at this stage.

Members were informed that some of the other local authorities had concerns regarding the level of housing requirement. The principal concern related to the risk to other authorities as a result of North West Leicestershire District Council's Local Plan deviating away from the SHMA and the Memorandum of Understanding (MOU). It had been suggested that the next stage of the Local Plan should be delayed to await the outcome of the recently commissioned Housing and Economic Development Needs Assessment (HEDNA); however this work was unlikely to be concluded until late 2016. The Director of Services reported that delaying the Local Plan would make its adoption prior to the Government's deadline very difficult to achieve and so could leave the Council open to significant risks and appeals. Also, it would mean the Council could be penalised by the loss of the New Homes Bonus. Members were informed that officers had received advice from a number of sources and the advice was to proceed as quickly as possible and not to delay, therefore a report would be considered by Cabinet on 3 May to relay the advice received and to ask for a decision on how to proceed. The Director of Services was currently working to present the draft Local Plan to Council on 28 June.

At this point the Chairman stated that if the Committee decided to agree with officers recommendations but Cabinet went against officer's recommendations when considered in May, he would like members to be aware of the difference in opinion when the Draft Local Plan was presented to Council in June.

Councillor J Legrys, on behalf of the Labour Group, thanked the Planning Policy Team Manager and his team for the hard work undertaken so far. He went on to ask the following questions:

Councillor J Legrys commented that the majority of recommendations for consultation responses in respect of the issue of housing requirements were 'Noted and the Council is undertaking further work on this matter' and asked if it was genuine or meant that it would just be noted and ignored. The Planning Policy Team Manager confirmed that it was a genuine response and it was the intention to have more information available by the Council meeting in June.

Councillor J Legrys referred to paragraph 4.5 of the report. He expected a complete spectrum of opinion on the housing requirement level, with the public wanting a low figure and the developer wanting a high figure. He asked if there would be sufficient effort made in explaining the figures to the public and making sure everything was robust. The Director of Services responded that this was the intent with commissioning the additional work and reminded Members that the independent consultant undertaking the work had been involved with the SHMA and was also part of the company that would produce the HEDNA. This would help with consistency and the work that the consultancy did across the country had proved to be robust in the past. He added that there could be no promises made that the Planning Inspector would agree once the plan was submitted but by commissioning the additional work, he believed it would place the Council in the best possible position without a HEDNA. He commented that the least risky approach, taking the risk of appeals aside, would be to wait for the HEDNA but he did not believe it was a realistic approach and the Council could offer the inspector an early review if the HEDNA showed significantly different figures.

The Consultant commented that the officer's recommendation took full account of his views and he believed there would be considerable risk if the Local Plan was delayed. He felt the officers had done all they could to mitigate risk under the current circumstances. Inspectors had been asked to be more pragmatic when considering Local Plans and offering an early review should things change is one of the best ways to mitigate risk. Councillor J Legrys felt that the Council needed to be pro active in explaining to the public what was happening.

Councillor J Legrys asked what would happen if there was no agreement on the MOU. The Director of Services explained that if there was no agreement it would be up to each of the constituent authorities to decide whether to move on with their own Local Plans and deal with the risks. He added that he did not believe that it would come to no agreement but would just take some time. The Legal Advisor reminded Members that it was a duty to cooperate not a duty to agree because there were circumstances when an agreement could not be reached. In this case, the advice was to proceed and to make sure that there was a robust evidence base of the attempt to cooperate with all the authorities in reaching an agreement.

Councillor J Legrys was disappointed that the plan was still being pulled together and he understood that this was partly to do with the constant moving of goalposts by Whitehall, but he would still leave the meeting with no knowledge. He referred to paragraph 4.10 of the report and asked if the information regarding ongoing discussions with authorities and the legal advice being sought would be considered by the Committee before the Draft Local Plan was considered by Council in June. The Director of Services responded that the information would be available as part of the report to Cabinet in May and there were no plans to hold another meeting of the Committee before the Council meeting in June. He assured Members that Cabinet would only be commenting on the process not the content of the plan as that was a decision for Council. Councillor J Legrys expressed his concerns that there was still a lot of detail missing with no further meetings scheduled for the committee to make further comments.

Councillor J Legrys asked for an update on the current status of the separate booklet on gypsies and travellers provision. The Planning Policy Team Manager reported that the recent consultation had concluded and had received a low response rate; work was currently ongoing and would be reported back to Members in due course. Councillor J Legrys thanked the Planning Policy Team Manager but once again stressed his concerns that the committee would not meet again until after the Council meeting in June and there was still missing information. His other concern was that there would be a lot of scrutinizing at the Council meeting and the public were also missing the information. The Director of Services suggested that as matters became clearer, a briefing note could be prepared and circulated in advance of the Council agenda to allow Members to be more prepared for the meeting. He also offered officer availability to Members to come in to the offices and discuss matters further if required. The Chairman felt that it was a good way forward and Members could also take the information out to the public and parish Councils.

Councillor J Legrys shared his deep concern of conveying the message out to the tax payers of the District and he had misgivings regarding entering into the final round of consultation as he wanted everything to be in place, in an understandable way when it goes out to the public. The Chairman commented that officers would give as much information as possible in the given timeframe and he believed the briefing note by officers would be helpful. Councillor J Legrys commented that the Council could not afford to delay the Local Plan but he wanted all the facts to be available to the public. He was happy with the briefing note suggestion but it needed to be clear. The Director of Services reassured Members that he would not submit a plan that did not have the satisfactory evidence in place to support it and although there were gaps at the moment, they were still two months away from the Council meeting deadline and it would come together. He added that if it could have been brought together sooner it would have been and a full picture would be available for Council.

At this point the Director of Services continued to present the report to Members. He commented that the approach towards the provision for gypsies and travellers was good and would hopefully be supported by the Planning Inspector. He highlighted that there would be continued support for the Leicester to Burton rail line for passenger traffic, however it had been suggested that the policy be amended to refer to the 'provision of public transport services' rather than the 'reinstatement of passenger services' as the

latter suggested that the only option would be rail services. Regarding the River Mease, he referred to the recent announcement by the Leader at Council about the recently identified second developer window, due to this some amendments were required and work was currently underway in respect of the updated Developer Contributions Scheme. The Local Plan was dependent on this scheme and the Director of Services was confident that it would be in place. Regarding the Area of Separation policy, the Director of Services explained that a number of respondents were concerned about the inclusion of the word 'significant, therefore it was proposed to change the word to 'demonstrably'. Finally regarding renewable energy, specifically wind energy, the Committee had discussed whether additional work should be commissioned to look at potential areas for wind energy generation due to a statement from the Secretary of State. This work has been commissioned and the intent was to reflect this in the Local Plan.

Councillor J Legrys continued with his questioning and responses are below:

Regarding policy Ec4 – Brickworks and Pipeworks, Councillor J Legrys asked if the reinstatement package would apply in every case and what evidence there was to support it. The Planning Policy Team Manager explained that it was based on the discussions had between Leicestershire County Council and the Minerals Authority, he agreed to check and report details back to Members.

Regarding policy IF1 – Development and Infrastructure, Councillor J Legrys commented that again there was a lot of information missing and no clarity for the public for the delivery plan, no timelines or what the policy would say. He asked for some clarity. The Planning Policy Team Manager responded that the delivery plan would be in place by the Council meeting in June and would identify a whole range of projects with assigned costs, who would be responsible for delivery and timeframes for implementation. He informed Members that it would not provide all of the answers but provide a way to manage the process as a way forward and there would be a lot more work to be undertaken after the Council meeting in June.

Regarding policy IF2 – Community Facilities, Councillor J Legrys welcomed the addition of places of worship but asked about non conventional buildings such as schools which were used for worship as these were important to communities; he asked if these would be listed. The Planning Policy Team Manager confirmed that the aim of the policy was to protect services and recognise the importance of community facilities and therefore yes they would be listed.

Regarding policy IF3 – Open Space and Recreation, Councillor J Legrys felt that the responses had been dismissive and that the areas of open spaces were very important. As these areas were set up in neighbourhood plans and Ashby was the only area in the district with a neighbourhood plan, Councillor J Legrys asked if other areas would be neglected and not protected. The Planning Policy Team Manager responded that a lot of the areas that were included within the responses were in the existing Local Plan as sensitive areas but that the vast majority of areas were designated as outside limits to development in both the current and new Local Plan and therefore would be protected as countryside.

Regarding policy IF4 – Transport Infrastructure and New Development, Councillor J Legrys and Councillor R Johnson welcomed the removal of Hugglescote cross roads and the inclusion of Coalville and Ashby Cycle Network. Councillor J Legrys asked for clarity on who would provide and scrutinise the transport assessments. The Planning Policy Team Manager confirmed that it would be the relevant Highway Authority.

Regarding policy IF5 – Leicester to Burton Rail Line, Councillor J Legrys welcomed the inclusion of the Long Eaton to Willington rail line. He understood the need to change the wording in the policy to mean a tram or light rail but he felt that officers needed to be cautious that it could also mean guided bus way or other non rail related projects.

The Chairman commented that officers would always be cautious and the comment would be duly noted.

Regarding policy IF6 – Ashby Canal, Councillor J Legrys understood the need to re-examine the route but he felt there should be a clear explanation as to why and asked for reassurance of that. The Planning Policy Team Manager explained that the concern was the change of land levels along the current route which could potentially necessitate the introduction of locks and be costly. A potential alternative route had been identified but unfortunately there was currently not enough information available to assure it was a justifiable route. The proposals put forward provided some flexibility. The Chairman welcomed the proposals and this needed to be clarified on the briefing note for Members.

Regarding policy IF7 – Parking Provision and New Development, Councillor J Legrys welcomed the provision of cycle parking but he had received questions from the public regarding provision for motorbikes and other motorised two wheeled vehicles. He asked that the policy include this type of secure parking provision. He also expressed concerns regarding the number of car parking spaces per dwelling and asked if the Council was not planning on insisting on any car parking spaces but leaving it to the decision of the developer. The Planning Policy Team Manager explained that the Council did not currently have the necessary evidence required by the NPPF to insist on parking provision and therefore it had been left out. He understood that it was not ideal but it was the best option to ensure the Local Plan continued to progress.

Regarding policy EN1 – Nature Conservation, Councillor J Legrys welcomed the amendments but as Whitehall were pruning down some of the wildlife directives, he asked for assurances that the policy would be robust enough. The Planning Policy Team Manager responded that that was the intention.

Regarding policy EN2 – River Mease Special Area of Conservation, Councillor J Legrys welcomed the policy statement but he could not see how the pollutant problem would be mitigated. He was concerned that it was not clear what the Developer Contributions Scheme 2 meant equated against development in the area. He asked if the development in the MSAC would be paused and clarification on when the updated Developer Contribution Scheme would be available. The Chairman reminded Councillor J Legrys that the matter had already been discussed earlier in the meeting and it did not need to be repeated. Councillor J Legrys explained that he only wanted assurances that the Local Plan would not be going to an inquiry without the scheme in place.

Regarding policies EN3 and EN4 – The National Forest and Charnwood Forest, Councillor J Legrys was not happy with the lack of clearly defined discussion on Tourism and Cultural development, and would like it made clear to developers that the areas should not be touched. He asked for assurances that the policies would be robust. The Planning Policy Team Manager responded that the policy sought to support appropriate development such as tourism and cultural facilities but could not overly restrict other types of development. .

Regarding policy EN5 – Area of Separation, Councillor J Legrys believed that the report sidestepped the issue and felt that the areas should be defined in red lines prior to any planning applications. The Planning Policy Team Manager commented that the area between Colaville and Whitwick were already defined in red lines on the plan. Councillor J Legrys responded that the areas of separation were more than just Coalville and Ibstock, and that the opinion at recent parish meetings was that defined red lines was important. The Planning Policy Team Manager made reference to planning policy S4 and commented that if an application was submitted and officers judged that there was a decrease in separation, it could be refused under policy S4. He explained that if all areas were defined there was always the risk of missing areas and officers felt that generalising would be a better approach. The overall view was that plans should be as simple as possible.

Regarding policy He1 – Conservation and Enhancement of North West Leicestershire’s Historic Environment, Councillor J Legrys welcomed the statement from Historic England and the changes proposed but he regretted that there would be no opportunity to scrutinise the final details. The Planning Policy Team Manager confirmed that discussions were still underway with Historic England and the full details would be available for the Council meeting in June.

Regarding policy Cc1 – Renewable Energy, Councillor J Legrys was concerned that there were still further background papers to be prepared and therefore was not available at the meeting which left no opportunity for scrutiny.

Regarding policy Cc2 – Sustainable Design and Construction, Councillor J Legrys felt disappointed with the proposal but understood that the goal posts were being moved. He asked if there was any way to persuade developers to provide a better product from the new builds. The Chairman commented that the improvements to developments over the last few years had been great and much better than other areas but he reminded Members that requirements still had to be met. The Planning Policy Team Manager reported that it related to what the Council could require more than the physical design. Councillor M Specht stated that from comments he had received from members of the public regarding the new build properties in Ravenstone, he could see that the heat retention was very good because of the installation levels. He believed the balance was right compared to new build properties 20 years ago.

Regarding policy Cc4 – Water: Sustainable Drainage Systems (SUDS), Councillor J Legrys expressed his deep concerns that there was no inclusion of the long term maintenance responsibility of SUDS. He felt that it could open up areas to more flooding in the future if the parish council’s refused to continue the maintenance. The Legal Advisor explained that currently the Section 106 Agreement set out the legal responsibility for the SUDS but it did not provide the legality of maintaining, this needed to be agreed at the planning stages. Councillor J Legrys asked if the reluctance to take responsibility could delay development and believed that it should be included within the Local Plan. The Chairman understood the concerns but as the developers needed to have the agreement before a development could complete, he did not believe there was a need for it to be included in the Local Plan. The Planning Policy Team Manager explained that policy F1 addressed the matter.

Councillor J Legrys thanked officers for the responses received at the meeting and the patience of his colleagues.

Councillor R Johnson asked what the Council’s view was regarding the Governments plan to change all schools to academies, his view was that it was privatisation. He asked if it was to go ahead, who would be responsible for building new schools as part of the larger developments. The Chairman felt that it was a very good point but did not believe that it was a matter to be discussed at the meeting but for officers to respond to separately. He offered his assistance to Councillor R Johnson in wording a request to officers and was fully in support of it.

RESOLVED THAT:

- a) The responses received to the consultation on the Draft Local Plan as set out in tables E to K of the background papers be noted.
- b) The suggested changes to the Local Plan as outlined in the report be noted.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.00 pm

LOCAL PLAN ADVISORY COMMITTEE TERMS OF REFERENCE

Purpose of the Local Plan Advisory Committee

To enable cross-party discussion, guidance and support for the development of the North West Leicestershire Local Plan.

Role of the Local Plan Advisory Committee

- To consider and comment on documents that relate to the North West Leicestershire Local Plan including (but not restricted to) policy options, draft policies and evidence prepared to support the Plan.
- To make recommendations as required to Council in respect of the North West Leicestershire Local Plan.
- To monitor progress on the preparation of the North West Leicestershire Local Plan.
- To provide updates to other Members who do not sit on the Local Plan Advisory Committee.
- To consider and comment on responses to plans being prepared by other local planning authorities as part of the Duty to Cooperate.

Membership of the Local Plan Advisory Committee

- The Advisory Committee will be constituted in accordance with the proportionality provisions contained within The Local Government and Housing Act 1989.
- The Council's Substitution Scheme will apply.
- The Advisory Committee will select a Chair at its first meeting of each civic year.
- Other members may be invited to attend and participate in meetings of the Advisory Committee in a non-voting capacity at the discretion of the Chair.
- The Advisory Committee meetings must have at least 3 members to be quorate.

Operation of the Local Plan Advisory Committee

- Council Procedure Rule 4 will apply to the Local Plan Advisory Committee
- The Advisory Committee will meet at least once every two months, but will meet more frequently where necessary to enable continued progress on the North West Leicestershire Local Plan.
- The Advisory Committee will have no direct decision-making powers but will consider documents and information relating to the Local Plan and make recommendations to Council. Any such report will include specific comments and issues raised by the minority group.
- The Advisory Committee will be supported by the Director of Services and officers in the Planning Policy Team.
- Meetings will be organised, administered and minuted by Democratic Services with agendas and minutes being made available on the Council's website.
- The Portfolio Holder may attend as an observer.

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LOCAL PLAN ADVISORY COMMITTEE – 27 JULY 2016

Title of report	GYPSY AND TRAVELLER SITE ALLOCATION DPD: PROGRESS REPORT
Contacts	<p>Councillor Trevor Pendleton 01509 569746 trevor.pendleton@nwleicestershire.gov.uk</p> <p>Director of Services 01530 454555 steve.bambrick@nwleicestershire.gov.uk</p> <p>Head of Planning & Regeneration 01530 454782 jim.newton@nwleicestershire.gov.uk</p> <p>Planning Policy Team Manager 01530 454677 ian.nelson@nwleicestershire.gov.uk</p>
Purpose of report	To outline for Members the progress that has been made to prepare a Gypsy and Traveller Site Allocations Development Plan Document.
Council Priorities	<p>These are taken from the Council Delivery Plan:</p> <p>Value for Money Homes and Communities</p>
<p>Implications:</p> <p>Financial/Staff</p> <p>Link to relevant CAT</p> <p>Risk Management</p> <p>Equalities Impact Screening</p> <p>Human Rights</p> <p>Transformational Government</p>	<p>None</p> <p>None</p> <p>See paragraphs 2.2 and 2.3 of the report.</p> <p>A full equality impact assessment has been prepared.</p> <p>European Convention on Human Rights art.8 imposes a positive obligation on the State to facilitate the Gypsy and Traveller way of life.</p> <p>Not applicable</p>

Comments of Head of Paid Service	The report is satisfactory.
Comments of Deputy Section 151 Officer	The report is satisfactory.
Comments of Deputy Monitoring Officer	The report is satisfactory.
Consultees	Local Plan Project Board
Background papers	<p>Gypsy and Traveller Site Allocations Development Plan Document: Consultation Draft http://www.nwleics.gov.uk/files/documents/gypsy_and_traveller_site_allocation_consultation_document/Gypsy%20and%20Traveller%20Site%20Allocation%20DPD%20Draft%20for%20Consultation%20-%20hard%20copy.pdf</p> <p>National Planning Policy for Traveller Sites https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf</p> <p>Leicestershire, Leicester and Rutland Gypsy and Traveller Needs Assessment Refresh (2013) https://www.nwleics.gov.uk/files/documents/leicester_leicestershire_and_rutland_gtaa_refresh_may_2013/Leicester%20Leicestershire%20and%20Rutland%20GTAA%20Refresh%20-%20May%202013.pdf</p> <p>North West Leicestershire Local Plan: Publication http://www.nwleics.gov.uk/files/documents/proposed_publication_local_plan_2016/LocalPlanDocJune2016.pdf</p> <p>Equalities impact assessment of the Gypsy and Traveller Site Allocation DPD: Draft for Consultation</p>
Recommendations	<p>THAT THE ADVISORY COMMITTEE:</p> <p>(i) NOTES PROPOSALS TO UPDATE THE LEICESTERSHIRE, LEICESTER AND RUTLAND GYPSY AND TRAVELLER NEEDS ASSESSMENT;</p> <p>(ii) NOTES THE REPRESENTATIONS RECEIVED ON THE GYPSY AND TRAVELLER SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT: CONSULTATION DRAFT (APPENDIX B); AND</p> <p>(iii) NOTES THE ACTIONS BEING TAKEN TO IDENTIFY POSSIBLE SITES AND BROAD LOCATIONS TO MEET THE ACCOMMODATION NEEDS OF GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE.</p>

1.0 BACKGROUND

- 1.1 At its meeting of the 16 December 2015, the Local Plan Advisory Committee considered proposals to formally commence the preparation of a Gypsy and Traveller Site Allocations Development Plan Document as part of the North West Leicestershire Local Plan. This report updates Councillors on progress.
- 1.2 There is a shortage of authorised sites for Gypsies and Travellers at a national, regional and local level and as a consequence many Gypsies and Travellers have no option but to live on unauthorised and/or unsuitable sites. If sites can be identified through the planning process it will prevent the need for illegal encampments which often cause conflict with the settled community.
- 1.3 North West Leicestershire District Council has a duty to assess, identify and plan to meet the district's housing needs including those of gypsies and travellers and travelling showpeople. When plan-making, local planning authorities are required to identify and update annually, a five year supply of specific deliverable sites and to also identify a supply of specific, developable sites or broad locations for the following five to ten years.
- 1.4 These needs are to be met through the production of a Gypsy and Traveller Site Allocations Development Plan Document (DPD). The DPD will identify sites for gypsy, travellers and travelling showpeople in a way which balances meeting the accommodation needs of these groups and the protection of the natural and built environment.
- 1.5 As a first step in the preparation of a Gypsy and Traveller Site Allocations DPD, in February 2016 the Council invited comments on a consultation paper which provided an opportunity for individuals, organisations and stakeholders with an interest in provision for Gypsies, Travellers and Travelling Showpeople to give their views on a number of key issues regarding accommodation needs and the identification of potential sites.

2.0 THE NORTH WEST LEICESTERSHIRE LOCAL PLAN: PUBLICATION

- 2.1 The North West Leicestershire Local Plan published in July 2016 sets out the Council's strategic approach to meeting the accommodation needs of Gypsies and travellers and travelling showpeople at Policy H7 (see Appendix A). Policy H7 therefore provides the context for the preparation of the Gypsy and Traveller Site Allocations DPD by setting out the minimum accommodation need that is required to be met in North West Leicestershire and criteria for the identification of sites and seeks to safeguard existing sites. Policy H7 also sets out the intention to prepare a Gypsy and Traveller Site Allocations DPD as a means of identifying a range of sites to meet the identified need. Consultation on the Publication Local Plan ends on 15 August 2016.
- 2.2 In previous reports, reference has been made to an on-going risk that the North West Leicestershire Local Plan may not be found sound due to the way in which it addresses the accommodation needs of travellers. This followed the interim findings of the Inspector examining the Maldon District Local Development Plan who concluded that it was not sound because the Plan's policy for the provision of travellers' accommodation does not identify accurately the need for pitches and does not identify specific sites to meet the requirement. Subsequently, following a request from Maldon District Council, the Secretary of State exercised powers under section 21(4) of the Planning and Compulsory Purchase Act 2004 to direct that the Maldon District Council Local Development Plan be

submitted to the Secretary of State for approval. In March 2016, the Secretary of State advised Maldon District Council that he agreed that the policy for the provision for Travellers was not consistent with national policy. However, he concluded that it was not proportionate for the inspector to find the whole plan unsound because he had not examined the whole plan.

- 2.3 While this case is specific to Maldon, it is considered that the risk to the North West Leicestershire Local Plan in relation to this matter is reduced. Nevertheless, to mitigate the residual risk, the Council must be able to demonstrate that good progress is being made on the preparation of the Gypsy and Traveller Site Allocations DPD, especially with regard to the identification of sites, by the time of the examination of the Local Plan.

3.0 GYPSY AND TRAVELLER ACCOMMODATION NEEDS

- 3.1 The provision of sites should be based on up-to-date evidence of need. The Leicestershire, Leicester and Rutland Gypsy and Traveller Needs Assessment Refresh (2013) provides an estimate of additional numbers of pitches and plots required in the district for the period from 2012 to 2031. A “pitch” refers to a space on a gypsy and traveller site, whilst a ‘plot’ refers to a space on a ‘travelling showpeople’ site (sometimes referred to as a ‘yard’). For the period up to 2031 the assessment identifies a need in North West Leicestershire for a total of 68 permanent pitches and 20 transit pitches for Gypsies and Travellers and 9 Travelling Showpeople plots. The Needs Assessment Refresh forms the basis of the accommodation requirements set out in Local Plan Policy H7.
- 3.2 The revised definition of “traveller” (which now excludes those who have permanently ceased from travelling) set out in the Department for Communities and Local Government’s 2015 planning policy document for Gypsies and travellers could change the assessment of the numbers of pitches and plots required, while the supply of pitches in North West Leicestershire has changed significantly since the Needs Assessment was last prepared. Accordingly, the Council is working with the other local planning authorities (excluding Hinckley and Bosworth Borough Council) in the Leicester and Leicestershire Housing Market Area to update the pitch targets for Gypsies and travellers and the plot targets for travelling showpeople. It is anticipated that this update will be completed by the end of the year. This approach will help maintain and provide a robust and up to date evidence of need that may give rise to revisions to Local Plan Policy H7 and inform the emerging Gypsy and Traveller Site Allocations DPD.

4.0 SITE ALLOCATIONS

- 4.1 Notwithstanding the need to update the pitch targets for Gypsies and travellers and the plot targets for travelling showpeople, the Gypsy and Traveller Site Allocations DPD will need to identify a supply of specific deliverable sites and, potentially, broad locations for growth too. Specific sites would be identified on a proposal map with a clear site boundary, whilst broad locations would be shown on the proposal map as a general area within which a site would later be identified.
- 4.2 The consultation document published in February 2016 provided an opportunity for individuals, organisation and stakeholders who may have an interest in provision for Gypsies, Travellers and Travelling Showpeople to suggest sites that may be suitable for allocation. However, the consultation only generated a small number of comments

(Appendix B) and no site suggestions were received. The representations will be taken into account when the next version of the DPD is prepared.

- 4.3 As a consequence, to identify as wide a range as possible of sites and broad locations for development, officers are considering other types of sites and sources of data that will be relevant in the assessment process. This includes land in the Council's ownership and other public sector land that is surplus, or likely to become surplus.
- 4.4 Potential sites are currently being considered for their suitability, deliverability and availability using the criteria for the identification of sites set out in Local Plan Policy H7. This involves consultation with the Highway Authority, utility providers and others on the suitability of sites. To assess the availability of sites, officers will need to contact landowners to ensure that there is an intention to develop the site for Gypsies and Travellers pitches or Travelling Showpeople plots, or the landowner has expressed an intention to sell for those uses. While the Council will seek to negotiate with the relevant landowner to ensure that a site is made available, it may need to use its compulsory purchase powers to bring sites forward. Some sites will already be in the Council's ownership.
- 4.5 Effective community engagement with traveller communities will continue to be important when allocating sites and this is being achieved with the ongoing involvement of the Leicester and Leicestershire Multi-Agency Traveller Unit (MATU) and a representative of the National Federation of Gypsy Liaison Groups.

5.0 NEXT STEPS

- 5.1 It is anticipated that a Draft version of the Gypsy and Traveller Site Allocations DPD will be presented to Council for approval in November 2016. The draft DPD will include a shortlist of potential sites and will then be subject to further public consultation before the Council approves a publication version in the summer of 2017.

APPENDIX A: NORTH WEST LEICESTERSHIRE LOCAL PLAN: PUBLICATION

Policy H7: Provision for Gypsies and Travellers and Travelling Showpeople

- (1) Provision will be made to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople between 2012- 2031 for a minimum of:**
 - 2012 – 2017: 27 pitches plus 20 transit pitches
 - 2017 – 2022: 11 pitches plus 3 plots for showpeople
 - 2022- 2027: 14 pitches plus 3 plots for showpeople
 - 2027- 2031: 16 pitches plus 3 plots for showpeople
- (2) The required provision will be identified through the production of a Gypsy and Traveller Site Allocations Development Plan Document, taking into account the most-up-to-date Gypsy and Traveller Accommodations Needs Assessment.**
- (3) A five year supply of deliverable sites will be identified as well as a supply of developable sites or broad locations for the following years. The following criteria will be used to guide the site allocation process, and for the purposes of considering planning applications for such sites.**
- (4) Proposals for new sites or extensions to existing sites should meet the following requirements:**
 - (a) Be located with reasonable access to a range of services, such as shops, schools, welfare facilities or public transport**
 - (b) Be proportionate to the scale of the nearest settlement, its local services and infrastructure**
 - (c) Have suitable highway access, and is not detrimental to public highway safety**
 - (d) Provides for adequate on-site parking and turning of vehicles as well as appropriate facilities for servicing and storage**
 - (e) Be capable of being provided with adequate services including water supply, power, drainage, sewage disposal, and waste disposal facilities**
 - (f) Be compatible with landscape, environment, heritage and biodiversity as well as the physical and visual character of the area,**
 - (g) Be compatible with the amenities of neighbouring properties and land uses.**
- (5) Authorised, existing and new, sites will be safeguarded for Gypsy and Travellers and Travelling Showpeople groups unless they are no longer required to meet an identified need.**
- (6) Any development provided for within this policy which discharges wastewater into the Mease catchment will be subject to the provisions of policy En2. Any such development which does not meet these provisions will not be permitted.**

APPENDIX B: GYPSY AND TRAVELLER SITE ALLOCATIONS DPD CONSULTATION RESPONSES 2016

Representor	Representation	Response
General		
Oadby and Wigston Borough Council	Oadby and Wigston Borough Council acknowledge and support North West Leicestershire District Council's present proposed approach to meeting the needs of Gypsies, Travellers and Travelling Showpeople as it reflects current national planning guidance. However, once new evidence of local needs emerges through the production of a new Gypsies and Traveller Needs Assessment, North West Leicestershire district Council will need to plan for the appropriate level of need as evidenced by this new study. It needs to be explicitly stated in paragraph 3.3 of North West Leicestershire District Council's consultation document that it will use the updated evidence study to inform the pitch and plot targets to be contained in the proposed Gypsy and Traveller site allocations Development Plan document.	The revised definition of "traveller" could change the assessment of the numbers of pitches and plots required, while the supply of pitches has changed significantly since the Needs Assessment was last prepared as outlined above. Accordingly, the District Council is working collaboratively with other local planning authorities in the Leicester and Leicestershire Housing Market Area to update the pitch targets for gypsies and travellers and the plot targets for travelling showpeople. It is anticipated that this update will be completed later this year. This approach will help maintain and provide a robust and up to date evidence of need that may give rise to revisions to Local Plan Policy H7 and inform the emerging Gypsy and Traveller Site Allocations DPD.
Question 5:		
Apart from the Needs Assessment Refresh and planned Update is there any other evidence of future need that we should be aware of and that should be taken in to account?		
Norma Jackson	The nature of the people concerned makes one wonder why there is a need of permanent location. Do not travellers travel?? Why are we looking at housing needs when the designated population already have housing, be it in mobile transport. Rather than structured housing I would think land facilities would be required with access to schooling and sanitation. At least it would not use up valuable land for permanent housing which may never be used full time	The local authority has a duty to provide for the housing needs of gypsies and travellers and travelling showpeople, including when they have stopped travelling temporarily. Evidence suggests that further housing is needed in addition to that which is currently available for gypsies, travellers and travelling showpeople. Sites which could meet their needs include those which could accomodate traveller caravans, capable of being serviced and with reasonable access t services and facilities such as schools, doctors etc.
P. Storor	The needs of the local council tax payers in respect of the damage caused by Travellers and the mess that	Noted. There is a current shortage of sites. The lack of accommodation leads to unauthorised

Representor	Representation	Response
	is left behind	developments and can lead to significant cost to the Council incurred through the enforcement process and other possible actions such as site clearance. The allocation of land to meet the identified need will help deliver sites in the most suitable locations.
Environment Agency	No Comment	Noted.
Castle Donington Parish Council	No	Noted.
Leicestershire Fire and Rescue Service HQ	On the whole we would agree with the requirements specified in 5.11 which is basically keeping new locations close to existing settlements that have access to local services and have suitable highway access	Noted.
Mike Chadbourn	None	Noted.
Question 6:		
Should the District Council seek to identify sufficient sites for the period up to 2031, or should sites initially be identified for a shorter period, such as up ten years (i.e. to 2022), to allow a future refresh assessment to inform site provision for years 2023 to 2031?		
Julie Arnett	Identify sites for a shorter period to allow for the many and varied changes which always occur during these processes	Noted.
Norma Jackson	I think 10 years is certainly sufficient. Who knows what the numbers or needs of these people will be in 10 years. It is a lifestyle which is slowly eroding I think Use existing sites without extending the site as I feel the need will recede in the future	Noted. Evidence suggests that there is a current and outstanding need for gypsy, traveller and travelling showpeople pitches and plots. It is the intention to refresh the evidence in order to maintain an update picture of the need for sites. The intensification of existing sites is one option that will be considered as a means of providing for these pitches or plots.
P. Storor	Shorter periods.	Noted.
Environment Agency	No Comment.	Noted.
Richard Hine	Shorter period, council needs to focus on other strategic planning issues, not least maintaining 5 year plan for home building.	Noted. However we also have a duty to provide a 5 year supply of housing suitable to meet the needs of gypsies, travellers and travelling showpeople.
Castle Donington Parish Council	Shorter period.	Noted.

Representor	Representation	Response
Measham Parish Council	It is felt that sites should be identified for a period of 10 years.	Noted.
Leicestershire Fire and Rescue Service HQ.	Ten years would seem sufficient. However, longer term would improve planning.	Noted.
Mike Chadbourn	Sites identified for shorter period	Noted.
Question 7a:		
Are the above approaches to site provision considered appropriate?		
Ashley Bailey	Option 1	Support for intensification of sites is noted.
Norma Jackson	Option 1	Support for intensification of sites is noted.
Richard Hine	Option 1	Support for intensification of sites is noted.
Question 8:		
Are there any alternative ways in which future pitch/plots can be provided		
Norma Jackson	I am sure that farmers with land lying fallow or unharvested could be approached. It is amazing how much land they can provide for solar farms when offered financial inducements.	Noted. A Call for Sites has been undertaken district wide.
Environment Agency	No Comment	
Richard Hine	Benchmarks should be set for minimum number of pitches/plots per unit of site area, to ensure sites provide a minimum number. Often sites are not fully utilised.	Noted. Guidance and best practice will be referred to when identifying the site area required for potential pitches and plots.
Castle Donington Parish Council	Dont Know	
Measham Parish Council	The parish council feel that it would be appropriate to enlarge existing sites as all the infrastructure and facilities are already provided.	Support for this approach noted.
Leicestershire Fire and Rescue Service HQ.	On the whole we would agree with the requirements specified in 5.11 which is basically keeping new locations close to existing settlements that have access to local services and have suitable highway access	Noted.
Mike Chadbourn	New sites allocated near transport hubs - motorways, dual carriageways etc	Noted

Representor	Representation	Response
Question 9:		
Do you agree that a series of smaller sites would be preferable to a larger site		
Environment Agency	No Comment	Noted
Richard Hine	No. This should be a case by case basis, as there are too many variables for any specific proposed site.	Noted.
Ashley Bailey	Yes	Support noted.
Julie Armett	Yes	Support for smaller sites noted.
Norma Jackson	Yes	Noted
P. Storar	Yes	Noted.
Castle Donington Parish Council	No	Noted
Measham Parish Council	No	Noted
Mark Chadbourn	Yes	Support noted.
Question 10:		
Do you have any evidence of need for affordable traveller sites? If there is evidence of need should the document include a Rural Exception Site Policy for affordable Gypsy and Traveller Sites? If not what approach should we take?		
Environment Agency	No comments	Noted
Richard Hine	No	Noted
Julie Armett	No	Noted.
Norma Jackson	No	Noted
P. Storar	No	Noted
Castle Donington Parish Council	No	Noted
Measham Parish Council	We are not able to know what is affordable for Gypsy and Traveller sites, as you state NWLDC has no evidence, neither does the parish council.	Noted. The Gypsy and Traveller Accommodation Assessment identifies a need for affordable provision i.e. to provide accommodation for those members of the travelling community who are unable to afford to buy their own sites/accommodation.
Mark Chadbourn	No. Good availability of affordable land.	Noted.
Question 11:		
Can you suggest any sites that you consider suitable for use as transit sites		

Representor	Representation	Response
Ashley Bailey	Wales	Noted. However evidence identifies a need for a transit site within our district.
P. Storar	Sites around Breedon or Staunton Harold could be found which would alleviate the problem in the more urban areas. They are both close to the A42	Noted. Although no details of specific sites have been provided.
Castle Donington Parish Council	No	Noted
Measham Parish Council	We cannot identify any land that would be suitable for use as transit sites.	Noted
Question 12:		
Is there any other evidence of affordable need that we should be aware of		
Environment Agency	No Comment	Noted
Richard Hine	Yes. Many areas of the district have issues with affordable housing, which affects a significant larger number of young people. Illegal sites have been set up on land owned by travellers in the district. Can the council not work with the travellers to see if they can purchase land after planning has been given for the site.	Noted. Affordable housing is also sought as part of general needs housing. Various options for site ownership will be considered as part of this process, including ownership of sites by the travelling community and ownership by the local authority.
Julie Armett	No	Noted
Norma Jackson	No	Noted
Castle Donington Parish Council	No	Noted
Measham Parish Council	Members feel they could perhaps of commented further if more information about current provision was provided as part of the consultation process.	Noted
Mark Chadbourn	No	Noted
Question 13:		
Is there any other evidence that would indicate that 50% affordable provision is not the appropriate approach?		
Ashley Bailey	Why when they are all wealthy	The Gypsy and Traveller Accommodation Assessments that have been undertaken identify that there is a need for affordable housing provision.
Environment Agency	No comment	Noted

Representor	Representation	Response
Castle Donington Parish Council	No	Noted.
Mark Chadbourn	There is no shortage of affordable sites. 30% of sites should be affordable.	Noted.
Question 14:		
Of the above approaches to site management which is considered the most appropriate?		
Julie Armett	possibly 3.11	Possible support for family ownership is noted
P. Storor	3.12 Private developers. As long as the sites are self funding and the council tax payers do not have to contribute. Travellers should also have to pay council tax if they live permanently on the site	Gypsies, travellers and travelling show people, living on a local authority site or a private authorised site, will be required to pay council tax, rent, gas, electric and all other charges measured in the same way as houses.
Environment Agency	No comment	Noted
Richard Hine	The local authority should not run the sites, this is a liability the local tax payers should not carry. They should be run independently.	Preference for privately run sites is noted. This is an option that will be considered as part of the process, amongst other options.
Castle Donington Parish Council	Option 1	Preference for family ownership is noted.
Measham Parish Council	The Parish Council would prefer all sites to be run and maintained by the local authority as this would ensure suitable fees are paid and the site would be kept in an acceptable manner.	Noted.
Mark Chadbourn	Private developers/housing associations	Noted.
Question 15:		
Is there any other information or examples of site management that we should be aware of?		
P. Storor	CCTV to ensure the safety of the travellers and to monitor activity on the sites.	Noted. Advice will also be sought from existing site managers.
Environment Agency	No comment	Noted
Castle Donington Parish Council	There should be a site manager and CCTV Formal register of people on the sites	Noted. Further advice on these matters will be sought from Leicestershire County Council who have experience of managing sites.
Mark Chadbourn	None	Noted

Representor	Representation	Response
Question 16: Can you suggest any sites that you consider suitable for use as Gypsy and traveller sites or a travelling showpeople site?		
Environment Agency	I cannot suggest any sites. Provided the sites that are suggested can conform with Policy H7 of the Emerging NWLDC Local Plan we have no objections.	Noted
Richard Hine	Existing sites should be considered first, secondly brownfield sites, greenfield sites should be actively avoided. Planning considerations should be applied as per any caravan park development.	Noted. When considering sites reference will be made to the relevant national planning policy contained within the Planning Policy for Travellers as well as Local Plan Policy H7.
Castle Donington Parish Council	Yes	Noted. However details of site have not been provided.
Measham Parish Council	We already have at least 4 sites within a 10 mile radius of Measham along with a showman site just outside the village. We cannot identify any other suitable land. We would ask that the concerns of local residents should be considered when being consulted on the location of such sites.	Noted. Consideration will be given to all relevant planning matters when considering potential sites.
Mark Chadbourn	Land near East Midlands airport, the A42/M1 interchange.	Noted.
M J Welch and family	We oppose the siting of any Gypsy and Traveller site in the vicinity of Nottingham Road, Ashby de la Zouch in the strongest possible terms.	Noted.

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