

MINUTES OF OVERVIEW AND SCRUTINY COMMITTEE

MEETING DATE Thursday, 7 March 2019

MEMBERS PRESENT: Councillor John Walker (Chair), Councillor Alistair Morwood (Vice-Chair) and Councillors Paul Clark, Yvonne Hargreaves, Matthew Lynch, June Molyneaux, Greg Morgan, Steve Murfitt, Gillian Sharples and Kim Snape

OFFICERS: Chris Sinnott (Director (Early Intervention and Support)), Chris Moister (Head of Legal Democratic and HR Services), Stefanie Leach (Solicitor), Lesley Miller (Regulatory Services Manager), Zoe Whiteside (Development and Regeneration Manager) and Chief Inspector Gary Crowe (Lancashire Constabulary)

APOLOGIES: Councillor Steve Holgate and Paul Leadbetter

OTHER MEMBERS: Councillor Gordon France, Margaret France, Adrian Lowe and Marion Lowe

19.OS.15 Declarations of Any Interests

No declarations of interest were received.

19.OS.16 Public Questions

No public questions were received.

19.OS.17 Exclusion of the Public and Press

Decision: To exclude the press and public for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

19.OS.18 Approach to Dealing with Unauthorised Encampments on Land not owned by Gypsy Travellers

The Chair advised that this special meeting of the Overview and Scrutiny Committee was requested by Councillor Marion Lowe and invited her to address the Committee.

Councillor Marion Lowe explained that she felt the current approach to dealing with unauthorised encampments on land not owned by Gypsy Travellers is in need of review. The time and costs required to remove unauthorised encampments were also

a factor, especially for those residents affected. Delays have been experienced in the provision of a transient site.

Chris Sinnott, Director (Early Intervention and Support), explained that the current approach involves different teams across the Council, including Environmental Health, Legal, Communications, Public Protection and Animal Welfare.

Lesley Miller, Regulatory Services Manager, advised that a great deal of interventions are actioned in the hours after notification is received that an unauthorised encampment is on Council land. This includes liaison with the Police, commencement of the legal processes, communication with all interested parties and welfare visits for the Gypsy Travellers and any animals they have. Experience has shown that it is best to positively engage with the Gypsy Travellers. The Council also give advice to private landowners when there are encampments on their property.

Stefanie Leach, Solicitor, outlined the legal processes required, including a Section 77 Direction specifying a time and date that vehicles must be removed by. If this is not successful, the Council applies for a Court Order which enables bailiffs to remove the Gypsy Travellers if they have not left within 24 hours. Following the closure of Chorley Magistrates Court officers will have to travel to Preston Magistrates Court for this.

Chief Inspector Gary Crowe advised that Gypsy Travellers have the right to a family and to a private life under the Human Rights Act. The Police can act under specific circumstances, for example, if a private land owner has taken reasonable steps to request an unauthorised encampment to leave their land, and threats had been made or a crime committed. If an encampment is impeding a business the Police have powers to act. It is difficult when an encampment moves around several times within the same area.

Members queried several points including the issues of Penalty Charge Notices when an encampment is on a car park, the case of the Thwaites brewery in Blackburn, planning for Bank Holidays, the need to communicate with the residents of Chorley, the potential to modify the entrances to Council car parks and when it is appropriate to scan dogs for microchips.

Councillors Gordon and Margaret France, Paul Clark, Yvonne Hargreaves and June Molyneaux left the meeting at 7.15pm and Councillor Alistair Morwood and Kim Snape left the meeting at 7.25pm.

Zoe Whiteside, Planning Policy, Housing and Open Space Strategy Manager, advised that the National Planning Policy Framework (NPPF) and the 2015 Planning Policy for Traveller Site (PPTS) require a local needs assessment and 'ensure that their Local Plan includes a fair, realistic and inclusive policies to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply'.

The last Gypsy and Traveller Accommodation Assessment (GTAA) in 2015 established a need for 33 additional pitches over the period to 2026, with Chorley requiring 10 pitches, Preston 22 and South Ribble 1 pitch. A 10 plot shortfall of Travelling Show person provision was also identified. Further assessment of need resulted in 5 permanent pitches being allocated at Cowling Farm in the Chorley Local Plan.

The current GTAA Review will cover the period to 2036 for the new Central Lancashire Local Plan. Arc4 are carrying out an assessment of Gypsy and Traveller, and Travelling Show people accommodation needs (including houseboat dwellers) over the plan period for each of the respective Councils in accordance with the National Planning Policy Framework.

Specifically, the study will identify any 5 year shortfall (2018/19 to 2022/23) and shortfalls over the remainder of the plan period to 2036 (broken down into 5 year periods) for each local authority of Chorley, Preston and South Ribble. The study will also identify any transit/stop over provision based on evidence of unauthorised encampment activity.

Zoe Whiteside gave an update on the development of Cowling Farm. The Council has been working in collaboration with Homes England on the master planning for the site as whole. This work has involved technical works and a period of consultation (with the public and LCC) to agree the access arrangements for the housing, employment and the Gypsy and Traveller allocation.

The team have worked closely with the Gypsy and Traveller family to agree the location of the site. The allocation is for the Gypsy and Traveller family only.

Subject to Homes England agreement on the joint outline application the masterplan will go to Executive Cabinet in June 2019 and an outline planning application will be submitted in July 2019.

The timescales for construction works will be dependent on further technical assessment of the earthworks and drainage and the phasing of these works, but we are still aiming for July 2021 completion.

The Chair thanked Chief Inspector Gary Crowe and the officers for their contribution to the discussion.

Decision: That an update be provided to the next Overview and Scrutiny Committee on 21 March.

Chair

Date