

CUBBINGTON FREEHOLDERS

Registered Charity No. 246309

Mr. D. Barber,
Development Policy Manager,
Warwick District Council,
Riverside House,
Milverton Hill,
Royal Leamington Spa
CV32 5QH

Le

2nd May 2014

Dear Mr. Barber,

Sites for Gypsies and Travellers – Objection to Preferred Options
Removal of Site Ref GT08 from Allocation

I refer to your letter of 17th March 2014 regarding potential sites for occupation by gypsies and travellers.

The Trustees have noted that the depot area off Leicester Lane, Cubbington to the west of Cubbington Heath Farm (ref. GT08) has been classified as an 'Amber' site and shortlisted as it could be made suitable if major changes were made.

It is understood that this area is not deemed to be a Preferred Option which will be brought forward during the life of the Local Plan but we remain concerned that it could come under consideration if one of the preferred sites is rejected.

I would refer you to my letter dated 1st July 2013 addressed to Ms. Tracy Darke in which I explained the history of the area and how it is held in trust by the Freeholders' charity for the benefit of the residents of Cubbington. I would stress our view that the charity should be able to continue with the financial support that we have been able to provide to local organisations over many years. We remain opposed to the use of this land as a site for gypsies and travellers as this would be detrimental to the interests of the charity, the community and the local organisations who benefit from the charity.

The Freeholders charity remains very active and over the past eleven years we have been able to make grants totalling £121,000 to support the activities of a wide variety of local organisations within the parish of Cubbington.

We therefore request that the future of the charity should be secured by removing the site as a potential site for gypsies and travellers and that its Amber status should be rescinded.

When the possibility of the land being occupied for residential purposes was initially discussed there was a recollection that in the early part of the last century the land was used as a tipping site for local waste. The extent and the type of waste is not known but it is thought that the land would be heavily contaminated and would require treatment before it was suitable for occupation. As the Council will no doubt appreciate the statutory threshold under the Environmental Protection Act 1990 and supporting statutory guidance is very high. The costs associated with making the site suitable for residential gypsy and traveller provision would outweigh the benefits.

More generally, the Freeholders believe that, due to the relatively isolated location of this site, it is not sustainable for residential use due to the lack of access to public transport, health, welfare and educational facilities. These are required under the National Planning Policy Framework which sets out guidance on the government's aims in respect of sites for travellers.

The Freeholders' legal advisor has informed us that as the site formed part of a large site that had been mined and quarried for stone in the past it would have been classified as such under the Mines and Quarries Act 1954. It would therefore have to be safeguarded from any form of residential use.

Our legal advisor has also said that the need for the various proposed sites in the district under consideration has not in his view been properly or correctly analysed. He appreciates that the assessment of gypsy and traveller accommodation (GTAA) needs when carrying out a periodical review of housing needs under section 8 of the Housing Act 1985 is a statutory requirement under section 225 of the Housing Act 2004. The assessment and the strategy must be based on a full understanding of gypsy and traveller accommodation needs. The Council commissioned Salford University to carry out this assessment on the assumption that it would be reliable. However, his view is that the criteria and approach adopted by Salford University in carrying out the assessment is open to question as to whether it identifies the correct number of pitches. This is because he believes the assessment fails to include data from the neighbouring authorities in Warwickshire. Given the GTAA forms part of the Strategic Housing Market Assessment, there is a legal obligation to consult with the neighbouring authorities as required by the Localism Act 2011. As he understands that this data has been omitted it would mean that the GTAA is not reliable.

In conclusion, I must state that the Trustees will not agree to sell the this land now or at any time in the future as to do so would jeopardise the role of the Trust and the very valuable help it has given to the local community in terms of grants and funding.

We therefore respectfully request that, to safeguard the future of the charity to operate for the continuing benefit of the local community, this site is removed from the list of Amber sites for allocation.

Yours sincerely,

