

**IN THE HIGH COURT OF JUSTICE**  
**KING'S BENCH DIVISION**

**Claim No. QB-2019-000616**

**B E T W E E N :**

**(1) NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**(2) WARWICKSHIRE COUNTY COUNCIL**

**Claimants**

**-and-**

**(1) THOMAS CORCORAN**  
**(2)-(53) OTHER NAMED DEFENDANTS**  
**(54) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS WITHIN THE BOROUGH**  
**OF NUNEATON AND BEDWORTH**

**Defendants**

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**WITNESS STATEMENT OF WAHEEDA SHEIKH**

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I, WAHEEDA SHEIKH, Solicitor to the Council at Nuneaton and Bedworth Borough Council, Town Hall, Coton Road, Nuneaton, Warwickshire CV11 5AA will say as follows:-

1. I make this witness statement pursuant to paragraph 2 of the Order of the Honourable Mrs Justice Heather Williams dated 27<sup>th</sup> March 2024. I make this witness statement in support of Nuneaton and Bedworth Borough Council's (the '**Council**') application for injunctive relief pursuant to the Town and Country Planning Act 1990, s187B against both named individuals and Persons Unknown who form unlawful encampments within the Council's administrative area. I am authorised by the Council to make this witness statement on its behalf.

2. This statement is made from my own personal knowledge and/or from information ascertained from files and records kept by the Council. The facts and matters set out in this statement are within my own knowledge unless otherwise stated, and I believe them to be true. Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief. This witness statement has been made through the use of email and telephone communication with the Council's internal legal department and external legal representatives.
3. I shall refer to the interim injunction order dated 22<sup>nd</sup> March 2019 as the '**Injunction Order**'.
4. I exhibit to this witness statement a bundle of documents marked **WS1 and WS2**. References to that exhibit are in the format **WS1/page number or WS2/page number**.

#### **Encampments since June 2022**

5. On the 27 July 2022, the former Director of Planning and Regulation (Philip Richardson) made his sixth witness statement in these proceedings, setting out details of the unauthorised encampments in the Borough since the making of the Injunction Order.
6. I am making this statement to update the Court with the information relating to the unauthorised encampments that have happened in the Borough since June 2022.
7. There have been 17 unauthorised encampments in the Borough since then, of which 6 have been on land owned and managed by the Council, 3 on land owned and managed by Warwickshire County Council (the '**County**') and 8 on private land. The encampments have comprised between 2 to 15 caravans plus associated vans and cars. The Council and County owned sites concerned are in the main covered by the Injunction, and have included public open space, recreation grounds and car parks.
8. The table below provides details of the encampments, including the date, duration, number of vehicles and details of nuisance, antisocial behaviour and associated clean-up costs, and how they have been effectively managed within the terms of the Injunction Order. I have

compiled this table after reviewing the Council's records of unauthorised encampments in the Borough. In the table, 'NBBC' refers to the Council, and 'WCC' refers to the County.

Dates	Site	Land Owner	Details of Unauthorised Encampment
26-27.7.22	Vernons Lane, Nuneaton. Attempted access to fields at rear of former Manor Park School (now known as the Discovery Academy)	WCC	<p>On the 26<sup>th</sup> July 2022, the Council received information from members of the public to suggest that members of the Travelling community were attempting to gain access to the Vernons Lane site at the rear of the Discovery Academy. The informant indicated that there was damage being caused to the gates and railings to gain access. The matter was immediately reported to the Police, who confirmed they were already aware of the situation and were investigating.</p> <p>The Warwickshire Police Gypsy and Traveller Liaison Officer was able to confirm that 2 caravans and associated vehicles were on the highway causing a minor obstruction. He had spoken to the families who had indicated that they would only be there for a short stay, and they vacated as agreed prior to any action being taken.</p>
28-29.09.22	Vernons Lane	WCC	<p>On the 28<sup>th</sup> September 2022, reports were received from Martin Rone-Clarke, the Gypsy and Traveller Liaison Officer with Warwickshire Police of 8 Caravans and associated vehicles on the highway at</p>

			Vernons Lane. The Police and the County confirmed that they were aware of the encampment and the occupants had vacated prior to any action being taken by them and relocated to land belonging to the Council at The Dingle, Camp Hill, Nuneaton.
28.09-01.10.22	The Dingle, Camp Hill	NBBC	<p>The Council were notified that the unauthorised encampment of 8 caravans and associated vehicles previously on the highway at Vernon's Lane as referred to above had moved onto The Dingle, which is open space land at Camp Hill, Nuneaton. This land falls into the ownership of the Council and procedures were instigated to undertake welfare checks and assess the situation, before deciding on the most proportionate and appropriate response to the encampment.</p> <p>No welfare issues were noted following the visit by Council Officers, and the occupants vacated on 1<sup>st</sup> October 2022, prior to the enforcement of the Injunction Order.</p>
14-17.10.22	Iron Bridge Way, Exhall Incident number:267/141022 & 106/151022	NBBC	The Council received reports from elected Members of an unauthorised encampment at Iron Bridge Way, Exhall on 15 <sup>th</sup> October 2022. It was reported that there were approximately 12-15 Caravans and associated cars and vans on the site

			<p>behind the trees.</p> <p>Council Officers attended the site with Martin Rone-Clarke, the Gypsy Liaison Officer with Warwickshire Police, and spoke to the group. Following a negotiated stay of two days, the group vacated prior to enforcement of the Injunction Order.</p>
28-30.01.23	KFC Bermuda Park	Private	<p>The Warwickshire Police Gypsy and Traveller Liaison Officer confirmed that there had been an encampment consisting of 8 Caravans, which had previously been in Rugby, and which had set up camp on a private business car park at KFC Bermuda Park. The site owners utilised common law powers, and the trespassers vacated prior to any enforced legal action by the land owner.</p>
27.03.23	Avenue Road, Nuneaton	Private	<p>The Warwickshire Police Gypsy and Traveller Liaison Officer confirmed that 4 caravans and associated vehicles set up camp on a disused private car park, and vacated and relocated to a nearby business car park prior to any enforcement action being taken.</p>
27-28.03.23	Evri Depot, St David's Way	Private	<p>The Warwickshire Police Gypsy and Traveller Liaison Officer confirmed that the 4 Caravans and associated vehicles from Avenue Rd (above), set up camp on disused car park, but vacated within a</p>

			short period prior to enforcement action, and with no issues identified. The encampment then left the county of Warwickshire.
29.05.23	KFC Bermuda Park, St David's Way, Nuneaton.	Private	The Warwickshire Police Gypsy and Traveller Liaison Officer confirmed that 8 Caravans and associated vehicles established camp on a private car park. The group have previously visited this area earlier in the year with no issues of concern.
12-14.06.23	Pingles Leisure Centre Car Park	NBBC	<p>The Council were notified by its Leisure Services Operator of an encampment consisting of 7 caravans and associated vehicles on land leased from the local Authority by the Leisure Services Contractor.</p> <p>As there were several planned events taking place at the Leisure Centre, including a triathlon and a swimming gala, which were likely to attract large numbers of members of the public to the Leisure Centre, the police considered it proportionate to exercise their powers under Section 60C of the Criminal Justice Public Order Act 1994 and served notice on the occupants to vacate by midday on 14<sup>th</sup> June. Having reviewed the Council's records, this encampment appears to be the first and only time that the Police have</p>

			<p>used the 'new' powers inserted into the 1994 Act by the Police, Crime, Sentencing and Courts Act 2002.</p> <p>The site was vacated the following day.</p>
13.06.23	Tiverton Drive Site 62, Plan C Title number WK336798.	NBBC	<p>The 7 Caravans and associated vehicles previously at the Pingles car park moved onto land at Horeston Grange. The land they moved onto was covered by the Injunction Order as it was part of site 62 on Plan C, and as result the Council visited the encampment with the assistance of the Police and explained this to the occupants.</p> <p>Once informed of the Injunction Order, 6 vans left immediately and the Police confirmed that they would return later to the site to make sure the remaining 2 vehicles had also left.</p> <p>As the encampment was on the site for only a very short time there was a lesser impact on the local area and the condition of the site upon it being vacated.</p>
28- 30.06.23	Evri Depot, St David's Way	Private	<p>The Warwickshire Police Gypsy and Traveller Liaison Officer confirmed that an encampment of 7 caravans and associated vehicles forced open a padlock on the gate to gain entry to the disused depot. The group had previously occupied this site in March and April of the same year, moving</p>

			on after a short period on both occasions.
30.06.23	SRB Group, Townsend Drive	Private	The Warwickshire Police Gypsy and Traveller Liaison Officer confirmed there had been an encampment of 7 caravans, plus one additional caravan previously located at the encampment at St David's Way, and that they had forced open a lock to gain entry to the business car park. No significant impacts were reported, and the encampment was dealt with by the land owner under.
07-10.07.23	Tiverton Drive	NBBC	<p>On the 7<sup>th</sup> July 2023, the Council received reports from its elected members of an unauthorised encampment of 3 caravans on Council open space land at Tiverton Drive, Nuneaton.</p> <p>The Council's Private Sector Housing Manager, in liaison with the Police, attended to assess the encampment. They ascertained that there was a 6 month old child who was receiving medical treatment at Coventry hospital and that Martin Rone-Clarke, the Gypsy Liaison Officer from Warwickshire Police, was working with the family and the GT Officer in Dudley to seek accommodation in the West Midlands and enable the child to be transferred to Birmingham Childrens' Hospital.</p>



			<p>Reports indicated that bollards had been removed to gain access to the site, but no damage could be identified and the Police confirmed that, given the welfare needs of the child, they would not be using their powers to move the family, until the alternative accommodation had been secured.</p> <p>In light of the welfare requirements of the small child, it was deemed appropriate that the encampment be tolerated over the weekend until the Monday, when the site in Dudley was going to be available.</p> <p>On 10<sup>th</sup> July 2023, Martin Rone-Clarke confirmed that arrangements had been made for the family to move to Dudley, and that they would be leaving that same day. No further action was taken in relation to this encampment.</p>
13-17.07.23	Vernons Lane, Nuneaton – Sites 3, 138 and 20 are protected by the Interim Injunction and appear on Plan B.	WCC	<p>The Warwickshire Police Gypsy and Traveller Liaison Officer confirmed that on the 13<sup>th</sup> July reports were received of an unauthorised encampment on the highway at Vernons Lane, Nuneaton. The Police attended the site to assess the situation with representatives from the County, and confirmed there were 9 Caravans and associated vehicles on the highway which is adjacent to the sites referred to. On speaking to the</p>

		<p>occupants, the Police had been informed that they would be leaving the site later the same day or the following day as they were on their way to the Christian Light and Life Festival in Rutland. The County Gypsy and Traveller Team and the Police confirmed they would monitor the situation, with the County leading and taking appropriate action if the group were still in situ the following Monday.</p> <p>Reports were received by the Council from its elected members to say that they had been contacted by their constituents and informed that the occupants were using the tunnel under the railway line from Vernons Lane Fields to the Dumbles as a toilet, and the request was for this to be cleaned up as part of the process once the encampment had left.</p> <p>On Monday 17<sup>th</sup> July 2023, the County were notified of the above reports to the Council, and they confirmed that the Travellers were still in situ on the site and it had had commenced the s.77 CJPOA 1994 process to seek removal of the encampment.</p> <p>Initial notice to vacate had been served on the group, and the Council were informed by WCC that they had then left on 18<sup>th</sup> July 2023 prior to any further action being taken.</p>
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25- 27.08.23	KFC Bermuda Park	Private	The Warwickshire Police Gypsy and Traveller Liaison Officer confirmed that an encampment of 15 Caravans and associated vehicles had entered an unsecure private car park (the height restriction barriers were open). Martin Rone-Clarke advised the Council that there were numerous incidents of anti-social behaviour in the immediate locality reported to the Police, and also further into the town, mainly involving young people from the Encampment. A dispersal order was used, and after an agreement the group vacated the site and left the area.
06- 07.09.23	KFC Bermuda Park	Private	The Warwickshire Police Gypsy and Traveller Liaison Officer confirmed an unauthorised encampment of 7 Caravans and associated vehicles had arrived from Rugby and set up an encampment. They were on a private car park, and vacated prior to action from the land owner. The encampment also vacated the area and did not re-appear elsewhere.
11- 20.09.23	Middlemarch Recreation Ground – referred to on the list of sites protected by the injunction as Site 76 – Plan B -Land lying on	NBBC	On the 12 <sup>th</sup> September 2023, the Council’s operative working in the area reported that approximately 25 caravans and associated vehicles entered the park area and set up camp on the recreation ground. Attached is the email informing the

	<p>the north side of St Georges Way, Nuneaton and land on the North side of St Georges Way, Chilvers Coton CV107BX – title nos:WK448537/WK344972</p>	<p>Council of the encampment, and the photos taken of the encampment marked 'WS1/1-2'.</p> <p>Following the report, the site was visited by Martin Rone-Clarke, the Gypsy and Traveller Liaison/Advisor at Warwickshire Police, and he was able to confirm that they had visited the site and completed an initial assessment. He also confirmed that there were 10 caravans and associated vehicles on site, 6 children per caravan, 2 females per caravan and one male per caravan. 7 dogs on site: 5 dogs chained up and 2 not chained up. They had been informed that the occupants intended to stay until Saturday, and at the time of the visit the site was clean and no issues had been reported. However, he had noted that they did have off road bikes on site which may cause issues, which they would continue to track. It was believed that they had accessed the site from the Bermuda side past the train station.</p> <p>He confirmed the vrms of the vehicles on the site as follows:</p> <p>YD63 2PW, YS65 OKU, MV23 BKJ, MF 22 XCO, LX07 EWF, YH58 DVF, EF65 YPN, R410 LGC, BY61 PVE, BW70 EWC, SB65 VGR, CV12 XWC, BF14 YKC, YH65 AHU, CK13 VGH, BK21 SZO CARAVAN, BK21 SZO FORD TRUCK, RAZO NEY.</p>
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		<p>However, no registered keeper details were provided, such that none of the occupants of the encampment were identified.</p> <p>Martin Rone-Clarke confirmed that they had not seen any further incidents of concern attributed to this encampment, and the Police were not proposing any enforcement action as the impact is minimal, but they would continue to monitor the situation.</p> <p>He also confirmed that from a Police perspective, with minimal impact recorded at the early stage of the encampment and with persons unknown being involved, they did not believe it would be proportionate to exercise the power of arrest in the Injunction Order, and suggested that instead the section 77 CJPOA process would be the most proportionate, given the information available.</p> <p>Officers from the Private Sector housing team attended the site in the afternoon of the 12<sup>th</sup> September 2023 with Police officers and served Section 77 directions under the Criminal Justice and Public Order Act 1994 on all the vehicles referred to above, except registrations YS65 OKU and MF 22 XCO as they were not on site at</p>
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		<p>the time of the visit. The Directions required the occupants to vacate the site by 9.00a.m. the following morning.</p> <p>Officers visited the site at approximately 9.35a.m. on 13<sup>th</sup> September 2023, and confirmed that the encampment was still on site and showed no signs of moving.</p> <p>On 18<sup>th</sup> September 2023 an order was secured at Coventry Magistrates Court under s.78 of the Criminal Justice and Public Order Act 1994 for the removal of the unauthorised encampment and arrangements were made for the orders to be served on the vehicles and for bailiffs to attend the site on 20<sup>th</sup> September 2023. The witness statements in support of the application together with the Order made by the Magistrates Court are attached marked 'WS1/3-72'.</p> <p>The group vacated the site just prior to eviction, and the significant impact of their presence on the site and antisocial behaviour came to light once the group had vacated, this included:-</p> <ul style="list-style-type: none"><li>- fly-tipping of mostly green waste and chippings from trees that have been cut down and left on site from possible local jobs undertaken for residents, tyres, sofas and bagged waste as well as</li></ul>
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			<p>scattered debris. Around 10 tipper loads as an estimate, provided by officers.</p> <ul style="list-style-type: none"> <li>- other refuse and also damage to the site surface given the number of vehicles etc</li> <li>- untreated human waste deposited on the site</li> <li>- reports of nuisance caused by dogs being left to roam without a lead, and children not being able to use park equipment during encampment.</li> </ul> <p>Reports by members of the public to the Council of nuisance and antisocial behaviour, as well as photographs taken of the site by officers following the departure of the encampment, are attached marked 'WS1/73-103'</p> <p>The Council's contractor (Glendale) was instructed to clear the area and had to use a tractor, low loader and grab to clear the items. The total cost of clearing the site was £6,055.61.</p>
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9. The Council has worked with the County and Warwickshire Police to manage the encampments in the Borough since the making of the Injunction Order. In particular, the above information demonstrates the Council's approach to taking a proactive and proportionate response to unauthorised encampments. The Council is alive to the needs of members of the Travelling community, and has shown a willingness to tolerate encampments

on a short terms basis where there is a compelling need to do so (primarily a welfare need), and not enforce the Injunction Order or take other enforcement action. Examples of such toleration can be found with the encampments at Tiverton Drive in July 2023 and Iron Bridge Way in October 2022. As demonstrated by the encampment at Vernons Way in July 2023, unfortunately sometimes encampments overstay the toleration period and enforcement action is still required.

10. I note that there have been 4 encampments on the KFC Bermuda Park site since June 2022. That site is privately owned and is not owned by either the Council or the County. The site is not included within the scope of the Injunction Order. The Claimants have not made an application to add this site to the Injunction Order, as there has been no approach from the landowner requesting for it to be added. The Claimants are amenable to seeking the addition of privately owned sites (such as the Ambleside Sports site, which the Claimants have applied to add), but are mindful of the proportionality of adding lots of sites to the scope of the Injunction. Therefore, the Claimants consider that private sites should only be sought as an addition to the scope of the Injunction Order where a landowner has requested the addition, and demonstrated that they are unable to effectively and proportionately manage encampments and harms that are suffered by the encampments.
11. Warwickshire Police have assisted in managing and moving on encampments, and their Gypsy and Traveller Liaison Officer (Martin Rone-Clarke) is invaluable in that he works alongside all agencies and the Gypsy Romany Traveller Community to ensure that there are positive working relations to protect both the settled and Travelling communities. Ordinarily, it is Council Officers who serve the Injunction Order upon encampments, but they are often (although not always) accompanied by Police Officers when doing so.
12. Work is currently underway to refresh the County-wide protocol in relation to the management of unauthorised encampments, to ensure a consistent approach across the County to unauthorised encampments. The Council is actively engaged in that process. At present the Injunction Order provides a balance to the Protocol and the powers available to the Council and the Police, and is an invaluable tool in the management of unauthorised encampments in the Borough. It is hoped that once the County-wide protocol is established, and Council Officers have been trained in that protocol and when enforcement of the



Injunction Order is the appropriate response to an unauthorised encampment, the Injunction Order will prove an even more effective tool for the management of any unauthorised encampment that occurs; experience shows that service of the Injunction Order on an encampment is an effective way to limit the harms suffered by reason of an encampment, as the encampment is more likely to promptly vacate the land.

### **Effect of the Injunction Order**

13. There has been a significant decrease in the volume of unauthorised encampments in the Borough since the grant of the Injunction Order: only 17 encampments have occurred since June 2022, with no encampments having occurred at all in 2024.

14. Further, when alerted to the Injunction Order, encampments tend to vacate the land, which reduces the duration of encampments that do form in the Borough (see, for example, the encampment at Tiverton Drive in June 2023). Reducing the duration of encampments reduces the harm that is suffered by reason of an encampment. For example, it is less likely that significant fly-tipping or instances of anti-social behaviour will occur if an encampment is in situ for only a short period of time. Therefore, the Injunction Order can be very effective in reducing the harms that are typically suffered by reason of an unauthorised encampment.

### **Provision for Gypsy & Traveller Sites in the Borough**

15. Following a review of the Gypsy and Traveller requirements in 2021, the Council produced the Council's draft Gypsy and Traveller Site Allocations Development Plan Document (the 'DPD'), which was attached to Mr Richardson's sixth witness statement as PR1/14-37. The DPD was based on evidence that with the current occupied and vacant pitches within the Borough, there was a need for 16 additional residential and no transit pitches to meet the needs of those who meet the definition of Travellers, as set out in the Planning Policy for Traveller Sites, August 2015.

16. The publication version of the DPD was consulted on between the 28<sup>th</sup> January 2022 and the 25<sup>th</sup> March 2022, and the responses received were considered before the DPD and supporting documents were submitted for Examination to the Secretary of State (Planning Inspectorate) on the 29<sup>th</sup> June 2022.

17. The Planning Inspector held a public examination hearing on the DPD on the 27th October 2022 and, as part of the Examination process, amendments to the DPD were agreed with the Inspector.

18. Following receipt of the Report on the Examination from the Planning inspector on the DPD on the 18<sup>th</sup> December 2023 (and the suggested modifications), the DPD was considered to be sound and recommended for approval. The Council resolved to adopt the DPD at its Extraordinary Council Meeting on the 17<sup>th</sup> January 2024. I attach to my statement the Report of the Assistant Director for Planning, including the appendices and the minutes confirming the resolution marked 'WS2/1-81'

19. The adopted DPD superseded Policy H3 on Site Allocations for Gypsy's and Travellers in the First Claimant's Adopted Borough Plan 2011-2031, and ensured that the Council had in place a Policy to allocate sites to meet the Borough's identified need for a 5 year supply of Gypsy, Traveller and Travelling Show Persons pitches and plots.

20. The DPD, which is attached to the Report referred to above, allocates the following sites/pitches in the Borough:-

- i. GTSA1 – Sunrise Cottage for 3 additional pitches;
- ii. GTSA2 – The Old Nursery for 5 to 6 new pitches; and
- iii. GTSA3 – Winter Oak for 6 additional pitches.

21. During the examination, the Planning Inspector also considered the transit provisions for sites and plots in the Borough, and concluded that the Council's existing approach to using its negotiated stopping arrangements was a satisfactory response in the absence of allocated specific sites in the DPD for this purpose, and stated:

"In terms of transit provision, the GTTSA recommended that the Council make use of negotiated stopping arrangements. In this regard, the Council has already made use of negotiated stopping in the Borough and has developed a standard agreement that both it

and the Gypsies and Travellers in question sign in such circumstances. This includes the condition the site will be left in, the services that will be provided to it (refuse collection, portable toilets, etc), and includes a financial bond. The Council intends to roll out this approach going forward. In light of the evidence before me, including that given at the hearing session, I am satisfied that this is a sensible approach to transit provision and that the DPD is therefore sound in the absence of allocating sites for this purpose.”

22. As referred to above the Council is also currently attending meetings with the County, neighbouring local authorities and Warwickshire Police to agree a standard Warwickshire County-wide Protocol on Negotiated Stopping, and agree a standard protocol setting out arrangements for negotiating, managing and monitoring the sites used for this purpose.

23. I am therefore able to confirm that the Council has in place a suitable plan for the supply of sites and plots for the Gypsy and Traveller community for the next five years, as well as a good working relationship with the other local authorities and Warwickshire Police to agree a Negotiated Stopping Policy and standards agreements that will benefit both the settled and Travelling communities when in the Borough. If made final, Injunction Order will assist the Council in taking a proportionate approach to the effective management of unauthorised encampments, and will be used only as necessary, as demonstrated above.

### **Full and frank disclosure**

24. I understand that the Council is under a duty of full and frank disclosure in relation to Persons Unknown. To that end, and as may be apparent from the descriptions of the encampments above, I should clarify that I have been unable to confirm that the Injunction Order was served on each of the above-described encampments. As I have explained, the Injunction Order would typically be served by a Council Officer, and not a Police Officer, as the Police take the view that this is a matter for the Council and is not a Police matter; however, the Council records do not confirm whether the Injunction Order was served on each occasion. It is possible, and probably likely, that the Injunction Order has not always been served, especially as there has been a turnover of staff since the grant of the Injunction Order. With that in mind, the Council will be working with its Officers to ensure that a consistent approach is adopted going forward, especially considering the abovementioned protocol that is currently being worked on.

## Conclusion

25. The Injunction Order has dealt with unauthorised encampments to very good effect. The significantly reduced frequency of the encampments, and the reduced duration of encampments that do occur, has reduced the environmental and public health impact of those encampments, and the costs incurred by the Council in managing unauthorised encampments.

## Statement of Truth

I believe that the facts stated in this Witness Statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth

Signed

A handwritten signature in black ink, consisting of a stylized, cursive 'W' followed by a horizontal line extending to the right.

Waheeda Sheikh  
Solicitor to the Council

Dated 30 September 2024

**IN THE HIGH COURT OF JUSTICE**  
**KING'S BENCH DIVISION**

**Claim No. QB-2019-000616**

**B E T W E E N :**

**(1) NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**(2) WARWICKSHIRE COUNTY COUNCIL**

**Claimants**

**-and-**

**(1) THOMAS CORCORAN**  
**(2)-(53) OTHER NAMED DEFENDANTS**  
**(54) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS WITHIN THE BOROUGH**  
**OF NUNEATON AND BEDWORTH**

**Defendants**

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**Exhibit 'WS1'**

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## Amy Pittam

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**From:** Nuneaton Quality <nuneaton.quality@glendale-services.co.uk>  
**Sent:** 12 September 2023 11:38  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Middlemarch Rec: Caravan's  
**Attachments:** small\_1694513582JPEG\_20230912\_111251\_5731934152752089083.jpg; IMG\_20230912\_111637410.jpg

Good afternoon,

Apologies if you are already aware, but our operative has just reported travellers on Middlemarch Rec - see photos. About 25 vans.

Regards

[REDACTED]

Compliance Administrator  
Glendale Grounds Management Nuneaton,  
Unit 2, Eastboro Way, Attleborough,  
Nuneaton, CV11 6SQ.

Tel: [REDACTED]



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**WITNESS STATEMENTS**  
**(Criminal Procedure Rules, Part 27)**

**Statement of Witness**  
(Criminal Procedure Rules, r 27, 1(1);  
Criminal Justice Act 1967, s. 9, , Magistrates' Courts Act 1980, s. 5B)

**STATEMENT OF** [David Dale](#)

Age of witness : over 18

I am an Environmental Health Officer employed by Nuneaton and Bedworth Borough Council (NBBC) Private Sector Housing Team.

At approximately 4pm on the 11th September 2023 Doreen Katusiime, Senior Environmental Health Officer, asked me to accompany her to a reported traveller site in the area Middlemarch. We were unable to locate the site at that time. On 12th September myself and Andrew Hibbs, Technical Officer, Private Sector Housing again looked for the site. At approximately 10:30, we located the site located on Middlemarch Recreation Ground. It became apparent that there were between 10-15 vehicles and vans that had appeared to have entered the Recreation Ground via a footpath adjoining St Georges Way.

I consulted the list of sites owned by NBBC to check if the site is an authorised camp site or whether it is covered by an injunction obtained by NBBC dated 22<sup>nd</sup> March 2023. I confirmed that the land in question is indeed covered by this injunction and is identified as site number 76: "Land lying on the north side of St Georges Way, Nuneaton and land on the North side of St Georges Way, Chilvers Coton". I attach a copy of the Injunction Order at exhibit **DD1** and a plan of the site outlined in red at exhibit **DD2**.

At 11:52 I became aware that the police had visited the site and identified 18 vehicles on the site and I was advised of the Vehicle Registration Markings of the vehicles. I prepared directions under Section 77 of the Criminal Justice and Public Order Act 1994 for each of the vehicles. The directions required the vehicles to vacate the site by 09:00 on 13th September 2023.

At 14:00, I met PC Amelia Loveridge and PCSO Lewis Ridley on the small carpark at the top of Middlemarch Road. We then proceeded over the footbridge to the recreation ground,

I also met with a gentleman who identified himself as Luke, who owned the Vehicle CV12 XWC. He said that bags had been provided by the Council, so he believed that he had permission to use the land. I informed him that this is not an authorised site and that he could not remain.

Notices for vehicles YD63 2PW, LX07 EWF, YH58 DVF, EF65 YPN, BW70 EWC, SB65



VGR, YH65 AHU, BK21 SZO were handed to the occupants of the vehicles after a welfare questionnaire was completed. In each case when asked whether there was anybody receiving medical attention or pregnant, the answer was negative.

Directions to leave the site forthwith under Section 77 of the Criminal Justice and Public Order Act for vehicles R410 LGC, BV 61 PUE, CK13 UGH, BF14 YKC, CV12 XWC, CV10 7BX, and MV 23 BKJ were served on the vehicles by placing the notice in a polythene pocket and affixing it under the windscreen wipers. Copies and photographs are exhibited at exhibit DD3. Copies of all welfare questionnaires completed on site are exhibited at exhibit DD4. The Directions are presented as Exhibit DD5.

Vehicles YS65 OKU and MF 22 XCO were not on site at the time.

On 13th September 2023, I was made aware that the vehicles were still on site at 9:35am.

On 14<sup>th</sup> September I returned to the site with Mr Hibbs, PC Loveridge and PSCO Ridley and served the Summons. I explained to each person who answered, the location and time of the hearing. I taped a copy of the summons to two lamp posts, along with new directions addressed to "all vehicles" at the site. Copies of the summons were also attached to all vehicles. I attach a copy of the summons as exhibit DD6

During my visit, there were 3 vehicles which were not there previously. These were not occupied, so I served directions to them too, these were SE17 SKV, SK21 EYV and YD63 ZPW. I attach copies of the new directions and served on each vehicle along with copies of the summons. Photos taken of the new directions and the summons attached to vehicles and the lamp posts are attached to exhibit DD7.

My concerns are that we are having complaints from the public for example:

- Noise
- Loss of amenity eg dog walking, space for children to play, damage to trees
- I have also received complaints that there are now horses, sheep and dogs roaming free on the site.
- Damage to the local trees and recreation ground.

This statement, (consisting of two pages each signed by me), is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

15<sup>th</sup> September 2023

[formerly form 13, Magistrates' Courts' (Forms) Rules 19810 (SI 1981/553), relating to rule 70 of the Magistrates' Courts Rules 1981, section 9 of the Criminal Justice Act 1967 and section 5B of the Magistrates' Courts Acts 1980].

IN THE HIGH COURT OF JUSTICE

Claim Number: QB 2019 001616

QUEEN'S BENCH DIVISION

IN THE MATTER OF SECTION 222 LOCAL GOVERNMENT ACT 1972  
AND SECTION 187B TOWN AND COUNTRY PLANNING ACT 1990

Before Timothy Straker QC (sitting as a Deputy Judge of the High Court)

On the 19<sup>th</sup> day of March 2019

BETWEEN

- (1) NUNEATON AND BEDWORTH BOROUGH COUNCIL
- (2) WARWICKSHIRE COUNTY COUNCIL



Claimants

-and-

(1) THOMAS CORCORAN & 53 OTHER NAMED DEFENDANTS IN SCHEDULE 1  
OF THE CLAIM FORM

(2) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS WITHIN  
THE BOROUGH OF NUNEATON AND BEDWORTH

12/2/2019

**ORDER**

IF YOU, ANY OF THE ABOVE NAMED FIRST TO FIFTY-THIRD DEFENDANTS OR PERSONS UNKNOWN DISOBEY THIS ORDER OR INSTRUCT OR ENCOURAGE OTHERS TO BREACH THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

UPON HEARING COUNSEL MISS CAROLINE BOLTON FOR THE CLAIMANTS AND THE DEFENDANTS NOT ATTENDING

AND UPON READING THE PAPERS AND HEARING THE APPLICATION FOR AN INTERIM INJUNCTION PENDING THE FINAL INJUNCTION HEARING PURSUANT TO SECTION 222 LOCAL GOVERNMENT ACT 1972 AND 187B TOWN AND COUNTRY PLANNING ACT 1990

## POWER OF ARREST

THIS ORDER CONTAINS A POWER OF ARREST FOR BREACH OF PARAGRAPHS 1-9 OF THIS ORDER PURSUANT TO SECTION 27 OF THE POLICE AND JUSTICE ACT 2006 AND SECTION 1 OF THE ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014. ANY PERSON CAUGHT BREACHING PARAGRAPHS 1-10 OF THIS ORDER MAY BE ARRESTED AND BROUGHT BEFORE THE COURT.

**Note to Arresting Officer:** Where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or the Anti-social Behaviour Crime and Policing Act 2014:-

- The defendant shall be brought before the judge within a period of 24 hours beginning at the time of their arrest
- A constable shall inform the person on whose application the injunction was granted forthwith where the defendant is arrested under these powers

Nothing in sections 27 of the Police and Justice Act 2006 or the Anti-social Behaviour Crime and Policing Act 2014 shall authorise the detention of the defendant after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculation any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

## **IT IS ORDERED THAT:**

1. The proceedings shall be stayed against the 1<sup>st</sup> Defendant Terry Maughan, 28<sup>th</sup> Defendant Simon McDonough, 36<sup>th</sup> Defendant Martin Ward and 37<sup>th</sup> Defendant Pat Ward with liberty to restore.

Until further order, The First to Fifty-Third Defendants (save for the 1<sup>st</sup>, 28<sup>th</sup>, 36<sup>th</sup> and 37<sup>th</sup> Defendants) are forbidden from

2. Setting up or encampment on any land within the administrative boundaries of Nuneaton and Bedworth Borough Council unless authorized to do so by the owner of the land
3. Setting up an encampment on any land within the administrative boundaries of Nuneaton and Bedworth Borough Council without written permission from the Local Planning Authority, or planning permission granted by the Secretary of State.
4. Entering and/or occupying any part of the Land for residential purposes (temporary or otherwise) including the occupation of caravans/mobile homes, storage of vehicles, caravans and residential paraphernalia, save for Thomas Carcoran (the First Defendant) and his wife Jessica Dodds (the Second Defendant) and any other family member agreed with the First Claimant for the purpose of accessing medical care for their daughter [REDACTED]
5. Bringing on to the Land or stationing on the Land any caravan/mobile homes other than when driving through the administrative boundaries of Nuneaton and Bedworth Borough Council or in compliance with the planning orders regarding the use of a pitch with the relevant permission from the Local Planning Authority.

- 7. From allowing any land identified on the attached map and list of sites to be used, controlled, occupied or otherwise, unless a waste management licence or environmental permit is in force and the deposit is in accordance with the licence or permit.
- 8. From depositing any waste on the land identified on the attached map and list of sites without written permission from the local planning authority, or planning permission granted by the Secretary of State.
- 9. From entering and/or occupying any part of the land identified on the attached map and list of sites for residential purposes (temporary or otherwise) including the occupation of caravans/mobile homes, storage of vehicles, caravans and residential paraphernalia.
- 10. From bringing onto the Land or stationing on the Land any caravans/mobile homes other than when driving through the administrative boundaries of Nuneaton and Bedworth Borough Council or in compliance with the parking orders regulating the use of car parks or with express permission from the owners of the land.
- 11. From depositing or causing to be deposited, controlled waste in or on the Land unless a waste management licence or environmental permit is in force and the deposit is in accordance with the licence or permit.
- 12. There be a power of arrest attached to prohibitions 7-10 of this order.

The Land in this order means:

- 1. For the First to Fifty Land Defendants, all land within the administrative boundaries of Nuneaton and Bedworth Borough Council as appears within the marked red outline on the attached map at Schedule 2 of this Order. The said map clearly identifies the boundaries of the Borough of Nuneaton and Bedworth correctly and the principal towns and settlements within the Borough.
- 2. For Persons Unknown (the Fifty-Fourth Defendant) all the Land marked on the map at Schedule 3 of this Order and identified by the key to the map and numbered L to L41, further details of which are on the list at Schedule 3 of this Order.
- 3. Service of this Order shall be by affixing a copy of this Order in a transparent envelope, or laminated copy, in a prominent position on the Land.
- 4. The Defendants may, each of them, or anyone notified of this Order, apply to the Court on 72 hours written notice to the Court and the Chairman to vary or discharge this order (or so much of it as affects that person).

6. Costs reserved.

#### GUIDANCE NOTES

#### EFFECT OF THIS ORDER

- 18. A Defendant, who is an individual, who is ordered, so to do something, may not do it through any other person. The person doing it through, may be acting on the Defendant's behalf or in his name or not.
- 19. A Defendant, who is a corporation and which is ordered, so to do something, may not do it by its directors, officers, employees or agents or in any other way.

#### **PARTIES OTHER THAN THE CLAIMANT AND DEFENDANTS**

##### **EFFECT OF THIS ORDER**

- 20. It is a contempt of court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined, or have their assets seized.

##### **INTERPRETATION OF THIS ORDER**

- 20. In this Order, where there is more than one Defendant, unless otherwise stated, references to "the Defendants" means each or all of them.
- 21. A requirement to serve on "the Defendants" means on each of them, unless an Order of the Court specifies otherwise. The Order is, however, effective against any Defendant on whom it is served.
- 22. An Order requiring the Defendants to do or not to do anything applies to all Defendants.
- 23. "controlled waste" has the same meaning as within s.75(4) of the Environmental Protection Act 1996.

##### **COMMUNICATIONS WITH THE COURT**

- 24. All communication to the Court about this order should be sent to Room WC08 Royal Courts of Justice, Strand, London, WC2A 9LF (020 7947 6010).

# **SCHEDULE 1 – LIST OF DEFENDANTS**

List of Defendants and their addresses

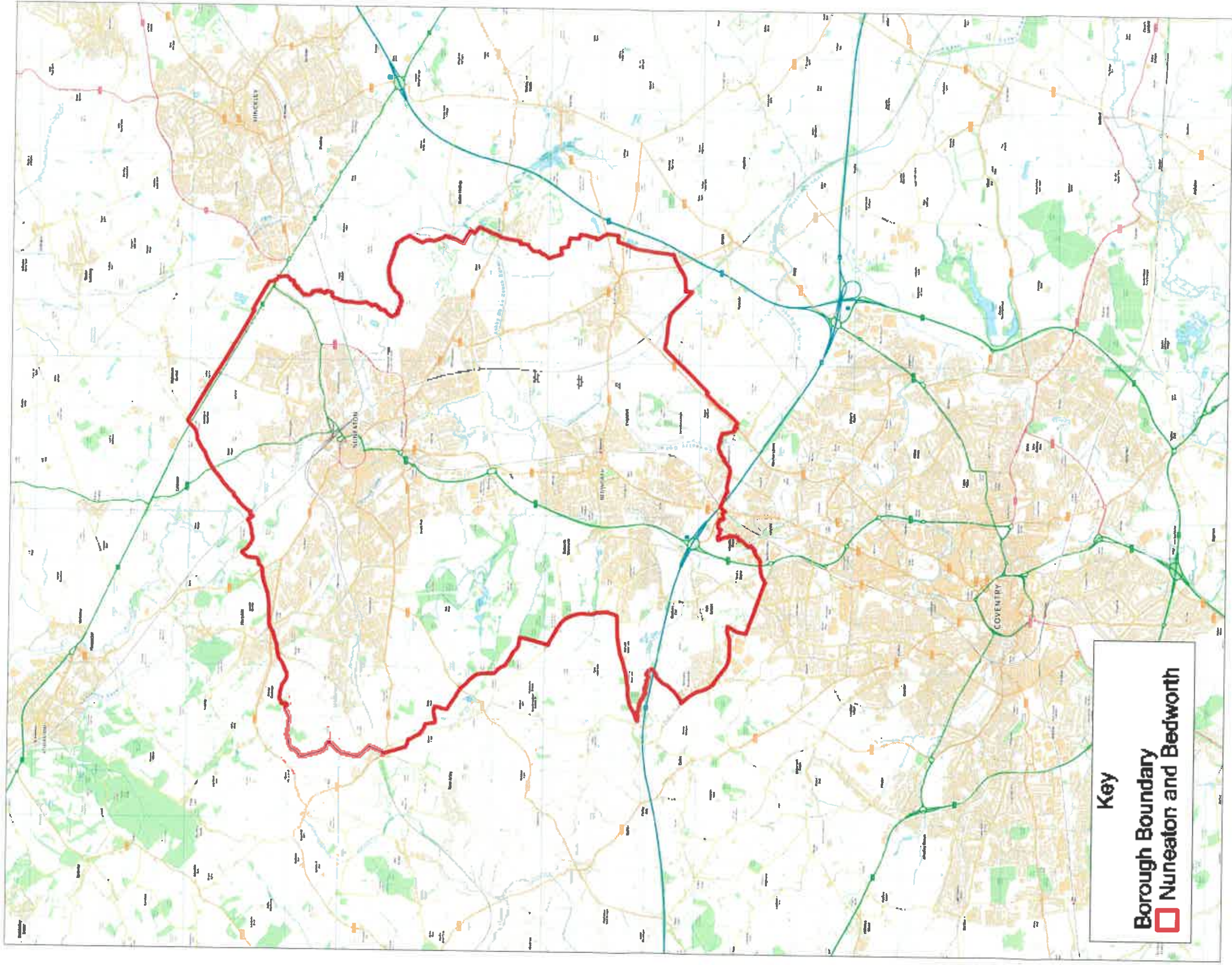
- (2) JESSICA DODD,
- (3) MICHAEL DOYLE
- (4) LUKE DELANEY
- (5) PATRICK MCGINLEY,
- (6) ALPHONSUS MCGINLEY
- (7) MICHAEL STOKES
- (8) MICHAEL STOKES
- (9) DENNIS STOKES
- (10) DENNIS STOKES (JNR)
- (11) BRIAN STOKES, 12a
- (12) JOHN MAUGHAN
- (13) TERRY MAUGHAN
- (14) ~~TERRY MAUGHAN~~
- (15) PATRICK MAUGHAN
- (16) OWEN MAUGHAN
- (17) OWEN MAUGHAN
- (18) ~~BERNARD CORCORAN~~
- (19) ~~FRANCIS CORCORAN~~
- (20) FRANCIS MAUGHAN
- (21) MARTIN MAUGHAN
- (22) THOMAS MAUGHAN
- (23) JOHN MONGAN
- (24) ~~MARTIN MONGAN~~
- (25) MARTIN MONGAN
- (26) LEONARD MONGAN
- (27) PAUL McDONOUGH
- (28) ~~SIMON McDONOUGH~~
- (29) BERNARD McDONOUGH
- (30) JOHN McDONOUGH
- (31) MIKE McDONOUGH
- (32) MARTIN McDONOUGH
- (33) AARON McDONOUGH
- (34) ~~KATHLEEN McDONOUGH~~
- (35) WINNIE McDONOUGH
- (36) ~~MARTIN WARD~~
- (37) ~~PAT WARD~~
- (38) MICHAEL WARD
- (39) KATHLEEN WARD
- (40) ~~ROSELEEN WARD~~
- (41) BERNIE SWEENEY
- (42) JOHN CONNORS
- (43) ~~TRACEY BROWN~~
- (44) ~~WILLIAM BRIDGES~~

- (45) ~~TOM WARD~~
- (46) ~~EDDIE McDONOUGH~~
- (47) ~~EDDIE (AKA EDWARD) WARD~~
- (48) ~~CHRISTOPHER McDONOUGH~~
- (49) ~~WILLIAM DOHERTY~~
- (50) ~~GERRY O'BRIEN~~
- (51) ~~ELIZABETH O'BRIEN~~
- (52) ~~PEARL BLAINLEY~~
- (53) ~~FIONA WARD~~
- (54) PERSONS UNKNOWN



**SCHEDULE 2 – MAP OF THE BOROUGH**

# Nuneaton and Bedworth Borough Boundary



**Key**  
Borough Boundary  
Nuneaton and Bedworth

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Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Not to scale





**SCHEDULE 3 – LIST OF SITES AND MAP FOR  
PERSONS UNKNOWN**

SITE NUMBER	MAP BITE APPEARS ON	SITE	>5 acres	POSTCODE	Land Owner	Title Number
1 B		Land on the north side of Corporation Street, Nuneaton (aka Abbey Green POS)	x		NBBC	WK447699
2 B		Recreation ground lying to the north of Queens Road, Nuneaton (aka Nuneaton Recreational Ground/Pool Bank St)	✓	CV11 5PZ	NBBC	WK446269
3 B		Land on the north west of Vernons Lane and land lying to the South West of Midland Road, Nuneaton (aka Stanley Road/Vernons Lane Recreational Ground)	✓	CV11 5ET	NBBC	WK447951/ WK240764/ WK238383
4 B		Land being car park on the south west side of Corporation Street, Nuneaton (aka Upper Abbey Street Car Park)	x	CV11 5DG	NBBC	WK449699
5 B		Victoria Street Car Park and 60 Victoria Street, Nuneaton (CV11 5RJ) (aka Victoria Street Car Park 1 and 2)	x	CV11 5QE	NBBC	WK449585/ WK178804
6 B		Joinery works and adjacent premises fronting Regent Street, Nuneaton (aka Regent Street Car Parks 1 and 2)	x	CV11 4BW	Private	WK368436
7 B		Land on the west and east sides of Vicarage Street, Nuneaton (aka Pool Bank Street Car Park)	x	CV11 5DB	NBBC	WK450184
8 B		Riversley Park Clinic, Coton Road, Nuneaton, (CV11 5TY)(aka Orchard Street Car Park)	x	CV11 4BS	Private	WK368584
9 B		Land and buildings on the east side of Broad Street, the north side of Queen's Road and the south west side of Abbey Street (aka Abbey Street Car Park)	x	CV11 5NE	NBBC	WK261517
10 B		Land at Church Street, Nuneaton (aka Church Street Car Park)	x	CV11 4AS	NBBC	WK449978
11 B		Land and buildings lying to the East of Coton Road (aka Town Hall Car Park)	x	CV11 5AA	NBBC	WK86582
12 B		Land at Vicarage Street, Nuneaton (aka Justice Walk Car Park)	x	CV11 4AL	NBBC	WK426642
13 B		Land at Coton Road, Nuneaton (aka Riverside Car Park)	x	CV11 5AA	NBBC	WK450296
14 B		Meadow Court, Meadow Street, Nuneaton, (CV11 5JE)(aka Meadow Street Car Park)	x	CV11 5JF	NBBC	WK448678
15 B		Land to the south side of Bermuda/land lying to the east and west of Coventry Road, Chilvers Coton/land on the west side of a road leading from Coventry to Nuneaton and a balancing lake and land to the south of Bermuda Road, Nuneaton (aka Bermuda Balancing Lake)	✓		NBBC	WK448511/ WK284250/ WK345891
16 C		Recreation Ground at Easbyro Way, Nuneaton (aka Attleborough Recreational Ground)	✓	CV11 4PY	NBBC	WK449338
17 C		Land on south side of Lutterworth Road, Nuneaton (aka Pauls Land)	✓	CV11 6QA	NBBC	WK449027
18 B		Land lying to the north east of Braemer Way, Nuneaton, Land on the south west and north east sides of Greenmoor Road & Land lying to the south east side ofcroft road (aka Jubilee Sports Centre)	✓	CV10 7EL	NBBC	WK48784/ WK448021/ WK448237 (part)
19 B		Land lying to the east of Westbury Road and Land lying to the North of Herbert Street, Nuneaton (aka Marsdale Drive)	✓		NBBC	WK342561/ WK355952
20 B		Land at Recreation Ground, Tomkinson Road, Nuneaton	✓	CV10 8DS	NBBC	WK447355
21 B		Land at Whittleford Park, Haunchwood Road Nuneaton, land lying to the north east of Haunchwood Road (aka Whittleford Park)	✓	CV10 8PY	NBBC	WK130458/ WK447033
22 E		Land on the south side of Marston Lane, Nuneaton (aka Bailey Park)	✓	CV12 8DR	NBBC	WK448160
23 E		Land on the north side of Marston Lane, Bedworth (aka Marston Lane Recreation Ground)	✓		NBBC	WK448256
24 E		Spitalfields 1 and 2 (Car Park) - land lying to the east of High Street Bedworth, land on the north-west side of Rye Piece Ringway, Bedworth & Zion Chapel, High Street Bedworth	x	CV12 8NF	NBBC	WK448878/ WK246825/ WK448601
25 E		Park Road (Car Park) - land on the east side of Park Road, Bedworth	x	CV12 8LH	NBBC	WK448511
26 F		Barnacle Lane EA - land to the south of Barnacle Lane, Bulkington, Bedworth; land at Barnacle Lane, Bulkington, Bedworth	✓		NBBC	WK448611/ WK448824(part)

27	F	Land at Brewer Road, Bulkington, Bedworth and land at Eustace Road, Bulkington, Bedworth	*	CV12 9RF	NBBC	WK448510/ WK448500
28	F	Bulkington Recreation Ground, Bedworth Road, Bulkington, Bedworth, (CV12 9PZ)	✓	CV12 9LT	NBBC	WK449849
29	B	Land on the south west side of Queen Elizabeth Road, Nuneaton	✓	CV10 9DA	NBBC	WK439320
30	B	Land on south east side of Green Lane, Nuneaton and land lying on the east side of Remaden Avenue, Nuneaton (aka Stubbs Pool)	✓	CV10 9DJ	NBBC	WK448197/ WK448093
31	B	Land and buildings on the east side of Camp Hill Drive, Camp Hill, Nuneaton and land at The Dingle, Queen Elizabeth Road, Nuneaton (aka The Dingle)	✓	CV10 9DE	NBBC	WK373679/ WK448013
32	B	Land on the south side of Willow Road, Nuneaton	✓		NBBC	WK447731
33	D	Land on the West side of Blackberry Lane, Bedworth	✓		NBBC	WK137139
34	E	Heckley Recreational Ground - land lying to the north of School Lane, Exhall, Coventry	✓	CV7 9EX	NBBC	WK450050
35	D	Keresley Recreational Ground - Land lying to the North East of Howat Road, Bedworth	✓	CV7 8NG	NBBC	WK124031
36	E	Land lying to the North West of Rowley's Green Lane, Exhall, Coventry (aka Silverstone Drive)	✓		NBBC	WK336223
37	E	St. Giles Recreational Ground - Land on the South side of Vicarage Lane, Exhall, Bedworth and Land lying to the West of St Giles Road, Exhall	*	CV7 9GZ	NBBC	WK143991/ WK154857
38	B	Land on the east side of Bucks Hill, Nuneaton (aka Bucks Hill Marl.)	✓	CV10 9TD	NBBC	WK358453
39	A	Land south-east of Hickman Road, Galley Common, Nuneaton (aka Chaucer Drive)	✓	CV10 9SD	NBBC	WK339730
40	A	Nuneaton & North Works Group Riding for Disabled, Valley Road, Galley Common (CV10 9NJ) / land at Campbell Close, Nuneaton and land at Galley Common, Nuneaton (CV10 9NJ) (aka as Equestrian Centre and Fields of the Nuneaton and North Warwickshire Riding for Disabled Centre)	*	CV10 9PZ	NBBC	WK447381/ WK439120/ WK244039/ WK238145
41	B/A	Land on the south west side of Selby Way, land on the north side of Frensham Drive and land on the north east side of Merlin Avenue, south east side of Freeland Rise, Whitteford and land lying to the West of Bucks Hill (aka Freeland Rise)	✓	CV10 9QF	NBBC	WK319146/ WK326554
42	B/A	Land on the east and west side of Sherbourne Avenue, Whitteford, Nuneaton (aka Farnham Drive/Poplar Tree Farm EA)	✓	-	NBBC	WK319145
43	A	Land on Galley Common, Nuneaton; land at Galley Common Nuneaton and Land on the south side of Plough Hill Road, Stockingford (aka North Field)	✓	CV10 9PZ	NBBC	WK238447/ WK238145/ WK324522
44	B	Land on the south side of Sherbourne Avenue, Nuneaton	*	CV10 9JH	NBBC	WK234444
45	D	Land on the south side of Cardigan Road, Bedworth (aka Anderton Road POS)	✓	CV12 0HD	NBBC	WK281821
46	E	Land and Buildings at Market End Farm and Orchard Farm, Smorrall Lane	✓	CV12 0GE	Private	WK360708
47	E	Newdigate Recreational Ground - Land at Smorrall Lane, Bedworth	✓	CV12 0JP	NBBC	WK449987
48	A	Land on the North side of Ansley Road, Stockingford (aka Grove Farm/Thornone Way)	✓	CV10 8NN	NBBC	WK32497
49	A	Kingwood Road Recreational Ground - Land on the North side of Ansley Road, Stockingford	*	CV10 9QG	NBBC	WK32497
50	B	Stockingford Recreational Ground - Land on the west side of Westbury Road, Nuneaton and land on the north east side of Grove Road, Nuneaton and land lying to the west of Nuneaton Road	✓	CV10 8JX	NBBC	WK448137/ WK448304/ WK317827
51	E	Bedworth Leisure Centre - Miners Welfare Park, Rye Piece Ringway, Bedworth	✓	CV12 8NW	NBBC	WK449032
52	E	Land lying to the West side of Blackhorse Road, Bedworth (aka Ironbridge Way)	*	CV8 6TE	Private	WK394575
53	E	Land on the North side of Bulkington Road and land on the South side of Johnson Road/Alex Wilson Centre, 34 Nuneaton Road, Bedworth (CV12 8AL) and land lying to the west of Wootton Street and land at Elizabeth Centre, Johnson Road	✓	CV12 9BH	NBBC	WK169700/ WK448169/ WK250992/ WK448429
54	E	Miners Welfare Park (Car Park) - Miners Welfare Park, Rye Piece Ringway, Bedworth	✓	CV12 8JT	NBBC	WK449032
55	E	Bedworth Leisure Centre (Car Park) - Miners Welfare Park, Rye Piece Ringway, Bedworth	*	CV12 8NN	NBBC	WK449032
56	E	Miners Welfare Park (Car Park) - Miners Welfare Park, Rye Piece Ringway, Bedworth	*	CV12 8JT	NBBC	WK449032
57	E	Bedworth Railway Station (Car Park) - Land on the north side of Bulkington Road, Bedworth	*	CV12 8JG	NBBC	WK366034
58	E	Land at Arbury Avenue, Bedworth (aka Arbury Road POS)	*		NBBC	WK448598
59	E	Collycroft Recreational Ground - Land lying to the east of Amos Jacques Road, Collycroft, Bedworth and land to the west of Nuneaton Road/Alex Wilson Centre 34 Nuneaton Road Bedworth and land to the west of Nuneaton Road	✓		NBBC	WK295888/ WK460024/ WK448169/ WK317827
60	E	Land on the north and south sides of Newtown Road, Nuneaton (aka Heath Road)	*	CV12 0AL	NBBC	WK449846
61	C	Land lying to the north of Butternere Avenue, Nuneaton	✓	CV11 8EP	NBBC	WK210888

62	C	Land at Horseton Grange, Nuneaton and land lying south and west of Camborne Drive, Nuneaton	x		NBBC	WK336798/ WK344807
63	C	Land lying to the south of Hinckley Road, Nuneaton and land to the west of Clovelly Way	x	CV11 6YB	NBBC	WK447654/ WK319282
64	C	Recreation Ground, The Long Shoot, Nuneaton, (CV11 6JH)	x	CV11 8JH	NBBC	WK446886
65	C	Land at Horseton Grange and land to the south of Hinckley Road, Nuneaton (aka Tiverton Drive/Tavistock Way)	✓	CV11 6YL	NBBC	WK336798/ WK447654
66	C	Land on the east side of Changebrook Close and land on the west and east side of Pallett Drive, Nuneaton	✓	-	NBBC	WK345480/ WK309853
67	B	Land on the south side of Church Lane, Nuneaton (Cleaver Gardens/Sandon Fields)	✓	CV10 0HG	NBBC	WK448958
68	B	Land on the north side of Brookdale Road, Nuneaton and Land on the North side of Ryde Avenue, Nuneaton (aka Coronation Walk)	✓	CV10 0BN	NBBC	WK448096/ WK448091
69	B	Land at Bradestone Road, Nuneaton	x		NBBC	WK450498
70	B	Land on the north side of Donnithorne Avenue, Nuneaton (aka Caldwell Grange)	x		NBBC	WK452385
71	B	Land on the south side of Avenue Road, Nuneaton (aka Gals Fields)	✓		NBBC	WK452276
72	B	Land on the north side of Avenue Road, Nuneaton (aka Heritage Centre/Pingles Showground)	✓		NBBC	WK448965
73	B	Land on the north side of Donnithorne Avenue, Nuneaton and land at Knebley Crescent, Nuneaton	x		NBBC	WK449842/ WK449819
74	B	Marlborough Road Recreational Ground - Land on the south-west side of Marlborough Road, Nuneaton	x	CV11 5PQ	NBBC	WK447476
75	B	Land at Donnithorne Avenue, Nuneaton; land lying to the east of Raveloe Drive, Nuneaton; land on the east side of Marston Lane, Nuneaton and Land on the east and west sides of Marston Lane, Nuneaton (aka Marston Lane Fields)	✓	CV11 4RE	NBBC	WK452370/ WK452349/ WK449468/ WK449734
76	B	Land lying on the north side of St Georges Way, Nuneaton and land on the North side of St Georges Way, Chilvers Coton	✓	CV10 7BX	NBBC	WK448537/ WK344972
77	B	Riversley Park, Coton Road, Nuneaton	✓	CV11 6TY	NBBC	WK450206/ WK450173
78	B	Land at Sorrell Road, Nuneaton	✓	CV10 7AW	NBBC	WK450035
79	B	Riversley Park (Car Park) - Riversley Park, Coton Road, Nuneaton	x	CV11 5TX	NBBC	WK450206/ WK450173
80	B	Land on the north side of Avenue Road, Nuneaton (aka Pingles Leisure Centre Car Park)	✓	CV11 4LX	NBBC	WK448965
81	C	Crowhill Recreation Ground - Land lying to the east of Eastboro Way, Nuneaton	✓	CV11 6XA	NBBC	WK370815
82	B	Trinity Court Flats (Car Park) - land on the West side of Highfield Road, Nuneaton	x	CV11 4PW	NBBC	WK310067
83	E	Land at Acacia Crescent, Bedworth	x		NBBC	WK448428
84	B	Land at Dunns Close, Nuneaton	x		NBBC	WK452330
85	E	Land lying to the West of Blackhorse Road, Bedworth (aka Lymington Drive, Coventry)	x		Private	WK394575
86	C	Attleborough Fields Farm, Nuneaton and Land at Slingsby Close, Attleborough Fields Industrial Estate, Nuneaton	x		WCC	WK271645/ WK455358
87	E	Nicholas Chamberlaine School, Bulkington Road, Bedworth (CV12 9EA)	✓	CV12 9EA	WCC	WK470015/WK424958
88	D/E	Ash Green Sports & Arts College, Ash Green Lane, Coventry (CV7 9AH)	✓	CV7 9AH	Private	WK463626
89	E	Race Lays Infant School, Bedworth	x	CV12 8AD	WCC	Unregistered
90	E	Goodyers End County First School, Bowling Green Lane, Bedworth, (CV12 0HP)	✓	CV12 0HP	WCC	WK424335
91	E	All Saints Bedworth C of E Primary School and Nursery, Bedworth	x	CV12 8HP	WCC	Unregistered
92	F	Arden Forest Infant School - aka Land on the West side of Weston Lane, Bulkington, Bedworth	x	CV12 9RT	WCC	WK79471
93	E	The Cannons C of E Primary School - aka Land and buildings on the South side of Derwent Road, Bedworth	✓	CV12 8RT	Private	WK225063
94	E	Exhall Cedars Infant School - aka Land lying to the East of Coventry Road, Bedworth	x	CV7 9FJ	WCC	WK33092
95	D	Keresley Newland Primary Academy and Keresley Newland School, , Grove Lane, Keresley, Coventry, (CV7 6JZ)	✓	CV7 6JZ	WCC	WK427632/WK477207
96	D	Newdigate Primary School and Nursery - aka Land lying to the South of Smorra Lane, Goodyears End, Bedworth and Land lying to the South of Smorra Lane Bedworth	✓	CV12 0HA	WCC	WK27604/WK134659
97	D/E	Wheelwright Lane Primary School, Ash Green, Coventry	✓	CV7 9HN	WCC	WK425267
98	E	St Francis Roman Catholic School, Nicholas Street, Bedworth	x	CV12 8JN	Private	WK262596
"		Land lying to the North of Rye Piece Ringway, Bedworth			Private	WK476476

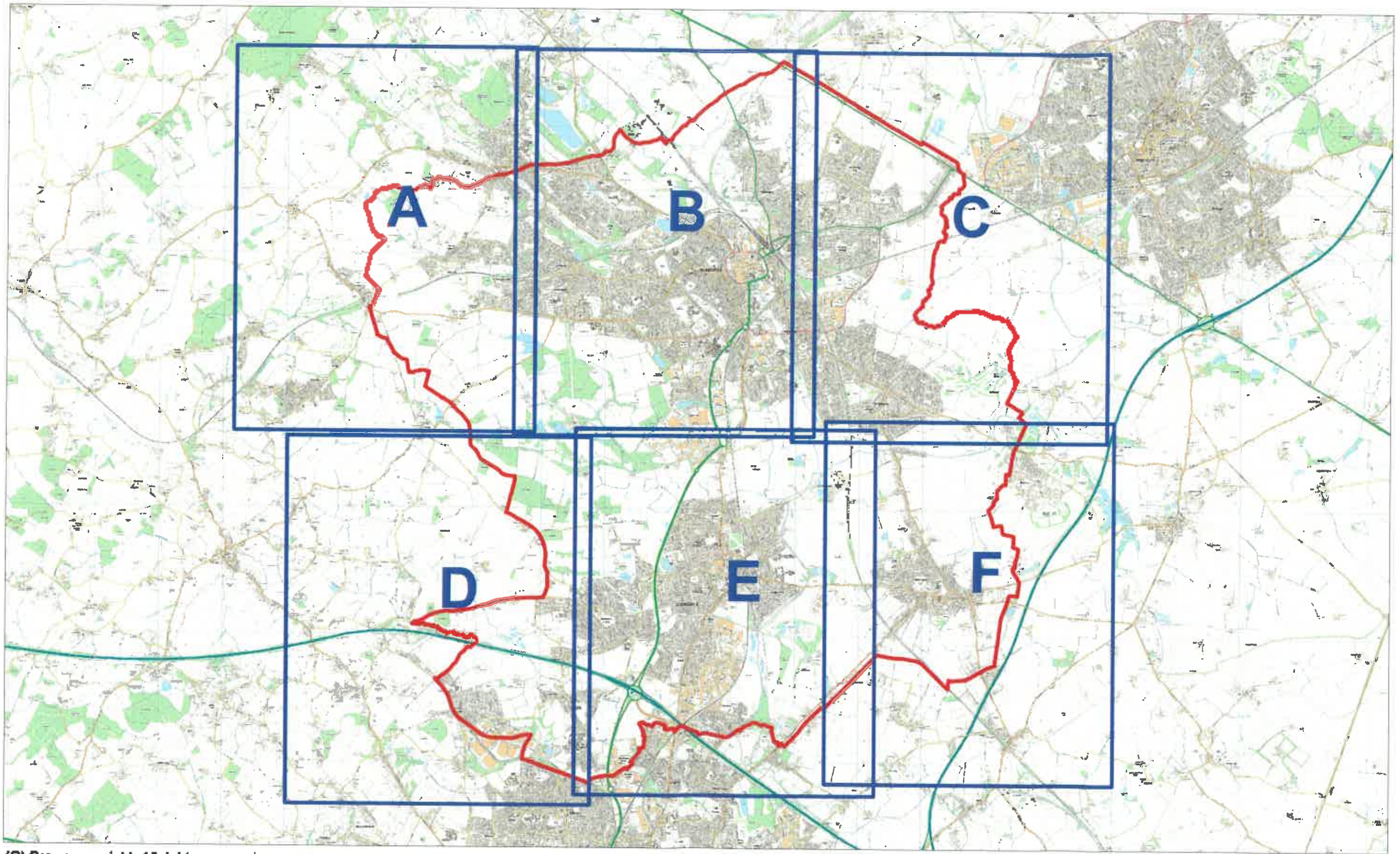


		Land on the East Side of Nicholas Street, Bedworth			WCC	WK171388
99	E	St Giles Junior School Bedworth - aka Land on the South Side of Hayes Lane, Exhall, Bedworth	✓	CV7 9NS	WCC	WK171647
100	F	St James Church of England School, Barbridge Road, Bulkington, Bedworth (CV12 9PF)	✓	CV12 9PF	Private	WK461720
		Playing fields at St. James Church of England Junior School, Barbridge Road, Bulkington, Bedworth, CV12 9PF			Private	WK472707
101	E	St Michael's Primary School, Hazel Grove, Bedworth, (CV12 9DA)	✓	CV12 9DA	Private	WK479304
102	B	Land adjoining St Thomas More Catholic School and Sixth Form College, Greenmoor Road, Nuneaton, CV10 7EX	✓	CV10 7EX	Private	WK478035
		St Thomas More Catholic School, Greenmoor Road, Nuneaton, CV10 7EX			Private	WK477630
		Arbury High School, Greenmoor Road, Nuneaton			Private	WK233418
103	B	Abbey Col E Infant School, Nuneaton	x	CV11 5EL	WCC	Unregistered
104	B	All Saints C of E Primary School & Nursery, Knebley Crescent, Nuneaton (CV10 7AT)	x	CV10 7AT	Private	WK461748
105	B	Camp Hill Primary School, aka Land to the South of Tuttle Hill, Camp Hill, Nuneaton	✓	CV10 9QA	WCC	WK409218
106	C	Chatwynd Junior School, aka Land lying to the South of Gipsy Lane, Nuneaton	✓	CV11 4SE	WCC	WK170501
107	B	Land at Judkins Quarry Tuttle Hill, Nuneaton (aka Recycling Centre)	✓	CV10 0HU	WCC	WK393091
108	B	Chilvers Coton Community Infant School, Frank Street, Nuneaton (CV11 5RB)	x	CV11 5RB	WCC	WK424955
109	B	Croft Junior School, aka Land lying to the west of Northumberland Avenue, Nuneaton	✓	CV10 8ER	WCC	WK239413
110	B	Galley Common Infant School, Nuneaton	x	CV10 8NZ	WCC	Unregistered
111	C	Milby Primary School, aka Land lying to the East of Higham Lane, Nuneaton	✓	CV11 6JS	WCC	WK205172
112	B	Glendale Infant School, aka Land on the south side of Skye Close, Nuneaton	x	CV10 7LW	WCC	WK178493
113	B	Middlemarch School, Nuneaton	✓	CV10 7BQ	WCC	Unregistered
114	B	Stockingford Junior And Infant School, Grove Road, Nuneaton (CV10 8JY)	x	CV10 8HW	WCC	WK426673
		Land and buildings on the south side of St Paul's Road, Nuneaton			WCC	WK380085
115	B	Our Lady of the Angels Infant School and St Josephs RC First School at Coton Road, Nuneaton	x	CV11 5TY	Private	WK226511
		Our Lady of the Angels Infant School and St Josephs RC First School, Coton Road, Nuneaton, CV11 5TY			Private	WK477543
116	A	Park Lane Primary School, Park Lane, Nuneaton (CV10 8LU) and land on the North side of Ansley Road, Nuneaton	✓	CV10 8NL	Private	WK470637
		Land on the North Side of Ansley Road, Nuneaton			Private	WK189735
117	B	Queens County Junior and Infant School, Bentley Road, Nuneaton, CV11 5LR			Private	WK471379
118	B	St Paula C of E Primary School, Nuneaton	x	CV10 8NH		Unregistered
119	B	Land at St Anne's RC Primary School, Camp Hill Drive, Nuneaton	x	CV10 0JX	Private	WK480568
		St. Anne's Roman Catholic Primary School, Camp Hill Drive, Nuneaton, CV10 0JX			Private	WK449953
120	B	Oakwood Primary School, Morris Drive, Nuneaton, CV11 4QH	x	CV11 4QH	Private	WK468047
		Oakwood Secondary School, Morris Drive, Nuneaton			Private	WK468048
		Oakwood Primary School, Morris Drive, Nuneaton, CV11 4QH			WCC	WK233776
121	C	Playing field adjoining St Nicholas C of E Primary School, Windemere Avenue, Nuneaton CV11 6HJ	x	CV11 6HJ	WCC	WK473130
		Land on the East Side of Windemere Avenue, Nuneaton			Private	WK131856
		St Nicolas C of E First School, Windemere Avenue, Nuneaton, CV11 6HJ			Private	WK473119
122	B	Weddington Primary School, aka Land lying to the North East of Oakdene Crescent, Nuneaton	✓	CV10 0DR	WCC	WK149023/WK216447
123	B	Land at George Elliot School, Raveloe Drive, Nuneaton, CV11 4QP	✓	CV11 4QP	Private	WK458956
124	B	Wambrook Primary School, aka Land on the North Side of Avenue Road, Nuneaton	✓	CV11 4LU	NBBC	WK448965
125	B	Etona College, Leicester Road, Nuneaton, CV11 6AA	✓	CV11 6AA	WCC	WK425515
126	B	Higham Lane School, Higham Lane, Nuneaton, CV10 0BJ	✓	CV10 0BJ	Private	WK465311
127	B	Oakwood Primary and Secondary School, Morris Drive, Nuneaton, CV11 4QH	✓	CV11 4QH	WCC	WK468047/WK468048/WK233776
128	B	The Nuneaton Academy, aka Land lying on the South of Arbury Road, Nuneaton and Nuneaton Academy, Rad	✓	CV10 7PD	WCC	WK175243/WK425489
129	C	North Warwickshire and Hinckley College, Hinckley Road, Nuneaton, CV11 6BH	✓	CV11 6BH	Private	WK428595

130	B	King Edward VI College, King Edward Road, Nuneaton, CV11 4BE	✓	CV11 4BE	Private	WK497842/WK497832
131	E	Bedworth Heath Nursery School, Globe Avenue, Bedworth, CV12 0DP	x	CV12 0DP	WCC	WK426282
132	D	Exhall Grange School and Science College, Wheelwright Lane, Bedworth			WCC	WK426690
"		Exhall Grange Special School, Wheelwright Lane, Coventry			Private	WK440475
"		Land at Exhall Grange School, Wheelwright Lane, Coventry, CV7 8HP	✓	CV7 8HP	Private	WK450903
133	E	Quest Academy, North Side of Griff Lane, Nuneaton	✓	CV10 7SD	WCC	WK365844
134	E	Race Leys Junior School, Bedworth aka Land lying to the West of Leicester Road, Nuneaton	x	CV12 8AG	WCC	WK240628
"		Race Leys Middle School, Barton Road, Bedworth, CV12 8HG		CV12 8HG	Private	WK465841
135	B	Stockingford Primary School, aka Land and buildings on the south side of St Paul's Road, Nuneaton			WCC	WK380085
"		Stockingford Junior And Infant School, Grove Road, Nuneaton (CV10 8JY)	✓	CV10 8JY	WCC	WK42667
136	C	Whitestone Infant School, aka Land on the South West Side of Magyer Crescent, Nuneaton	x	CV11 4SQ	WCC	WK23140
137	B	Attleborough Mills, Attleborough Road, Nuneaton (aka Holman Way)	x		Private	WK256088
138	B	The Discovery Academy, aka Manor Park Community School, Beaumont Road, Nuneaton	x	CV11 6SS	Private	WK430022
139	B	St Davids Way Hub, St Davids Way, Bermuda Park, Nuneaton	✓	CV10 7SD	Private	wk447390
140	B	Halfords - land and buildings on the south side of Newtown Road, Nuneaton	x	CV11 5UT	Private	WK390614
141	B	Bermuda Road Community Centre, Bermuda Road, Nuneaton (aka Bermuda Phoenix Centre)	✓	CV10 7HU	Private	WK474729



# Key for traveller encampment maps



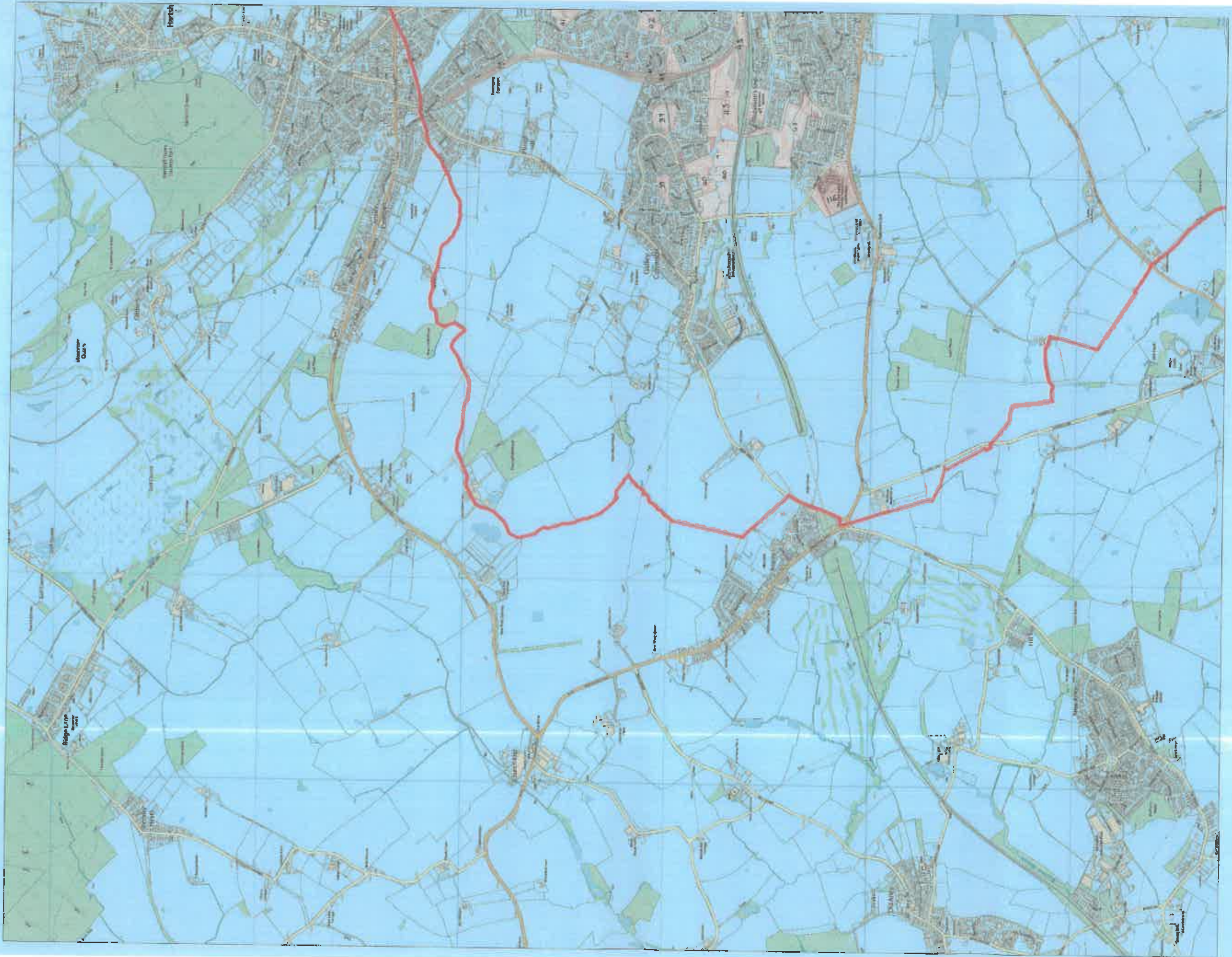
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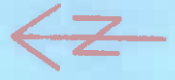
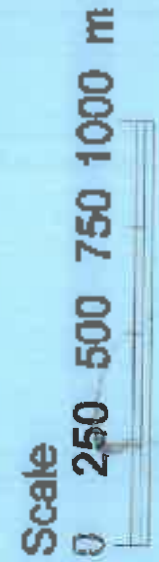


A

# Northwest Nuneaton



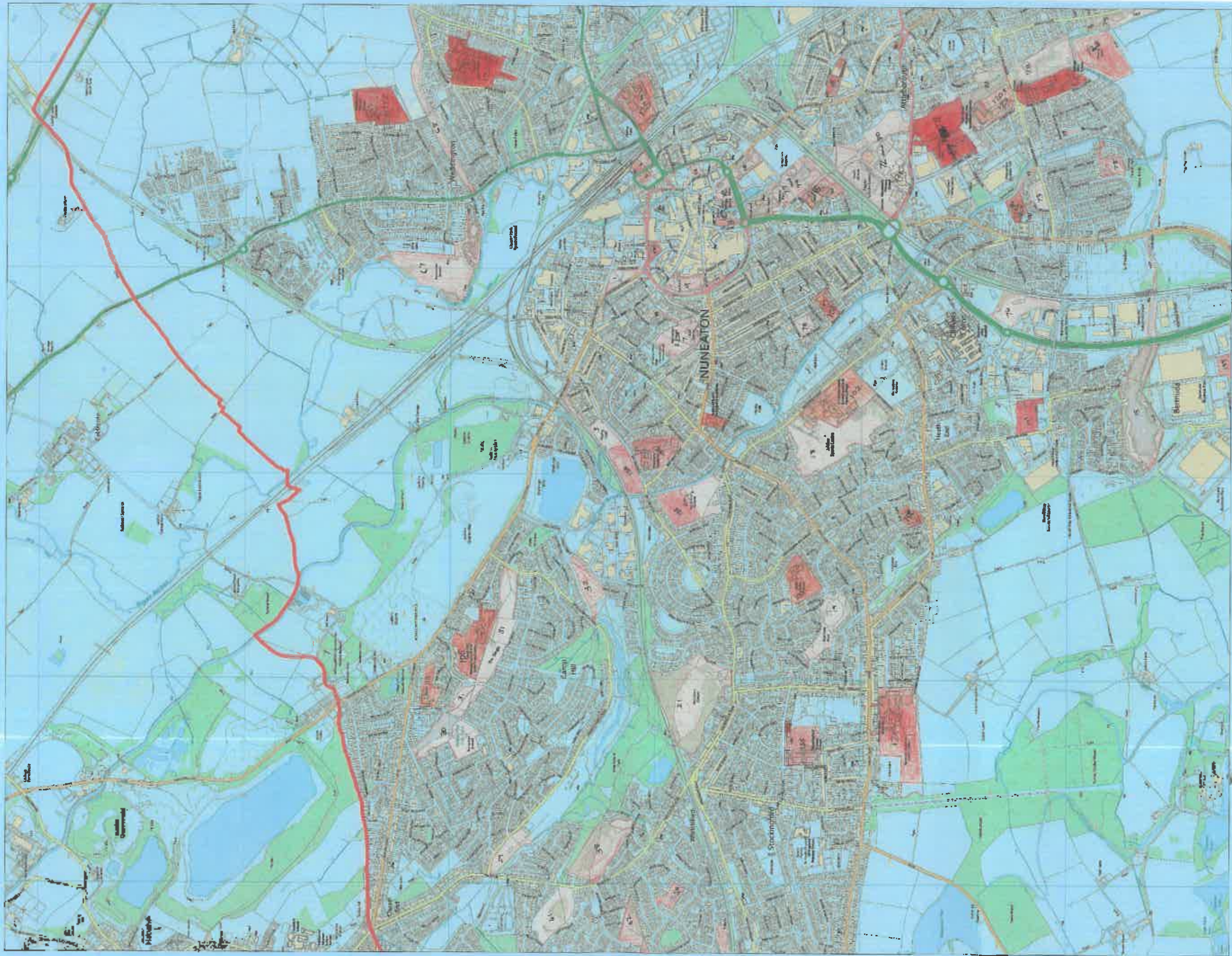
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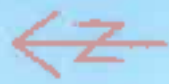
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North of Nuneaton



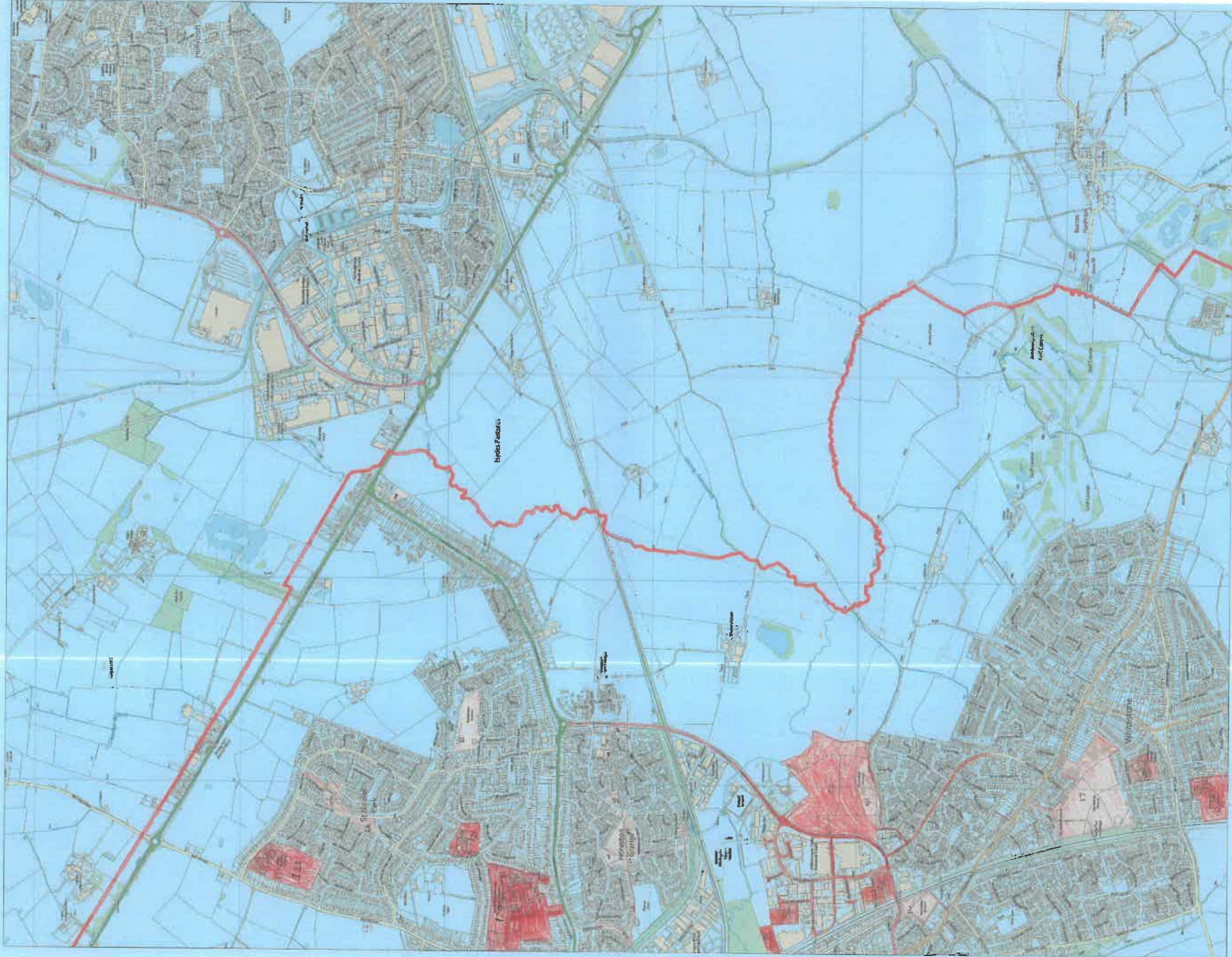
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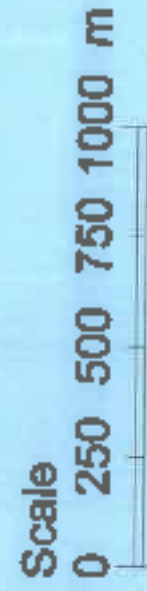




# Northeast Nuneaton



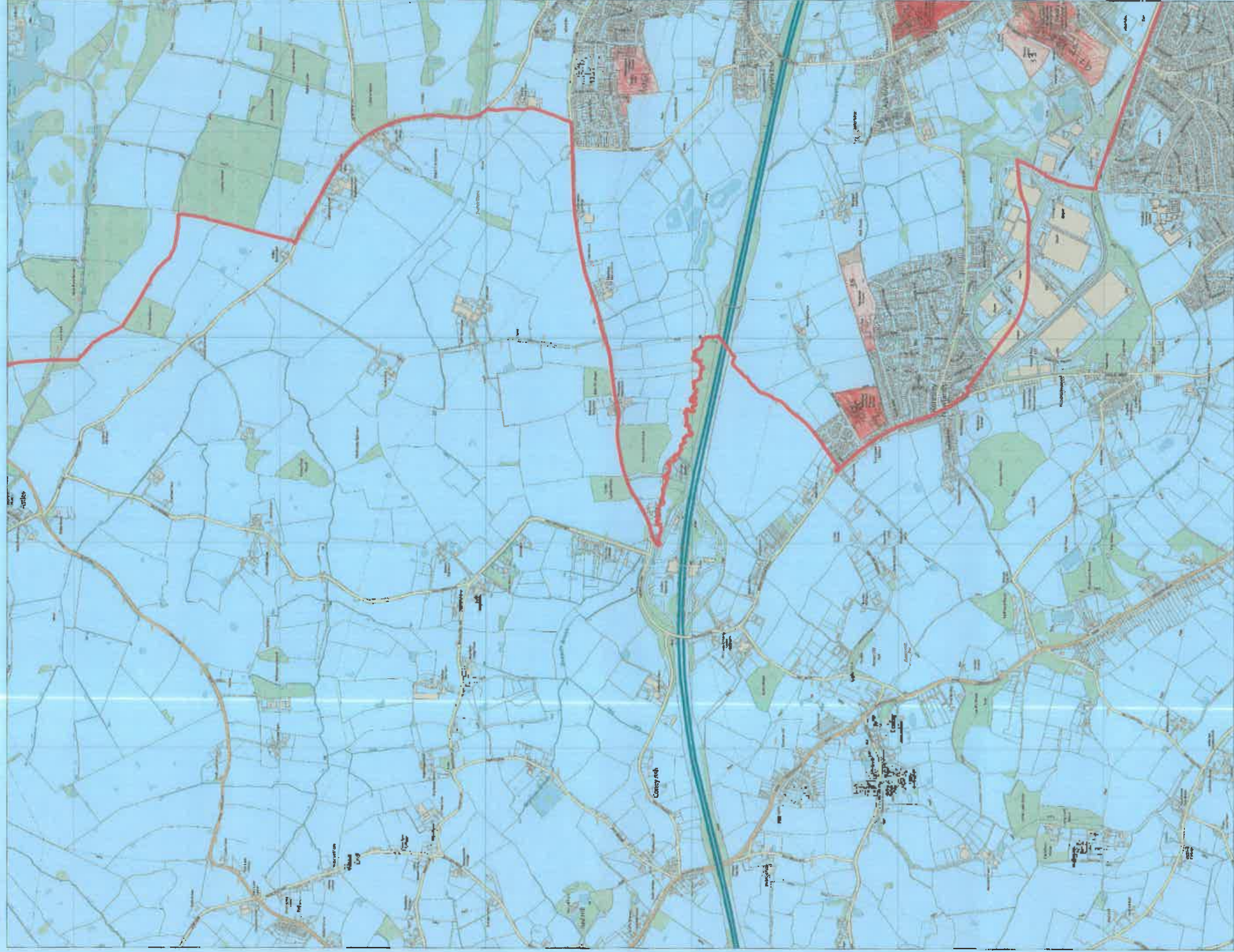
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# Southwest Bedworth



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Scale

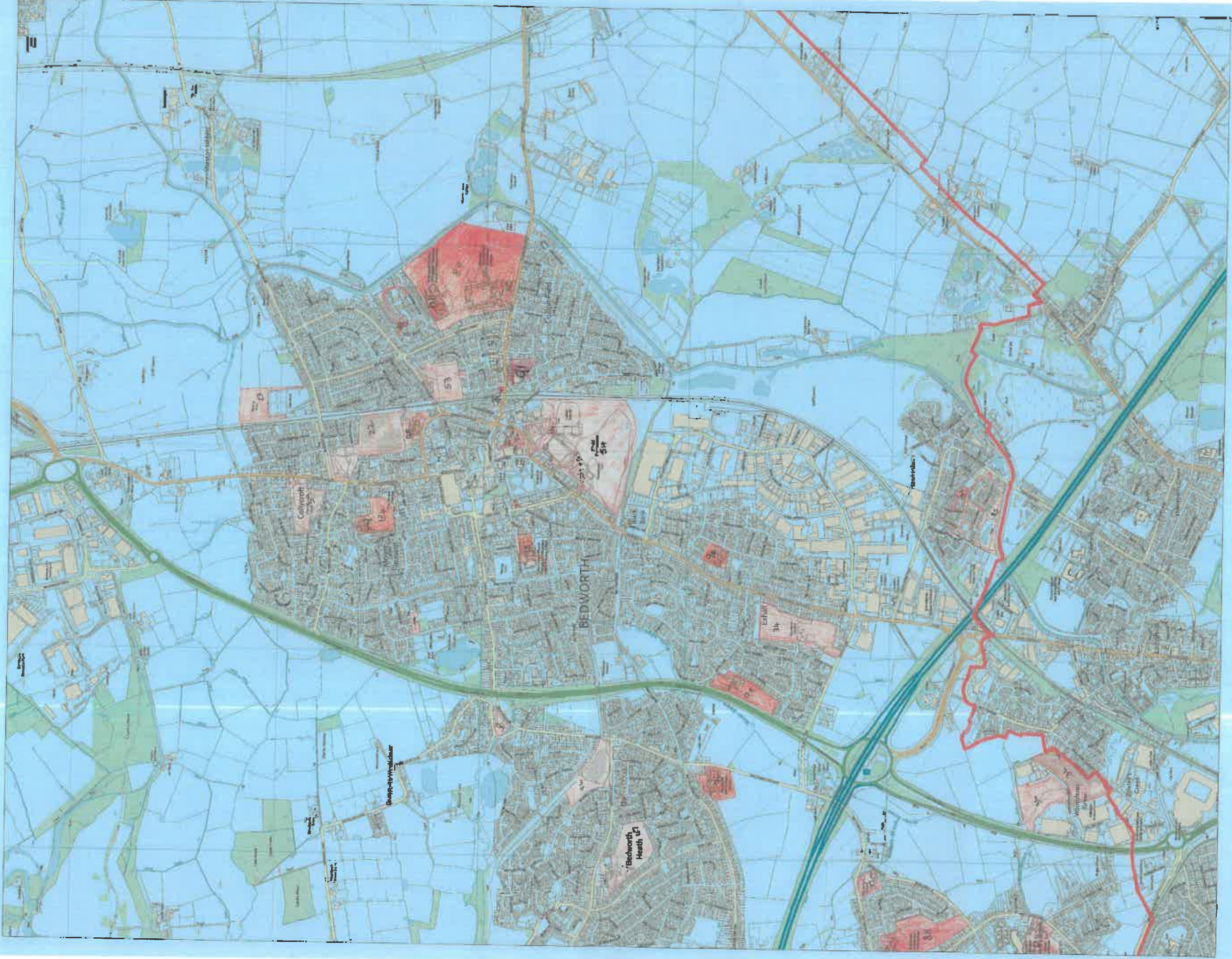
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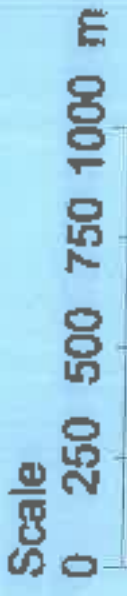


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# South of Bedworth



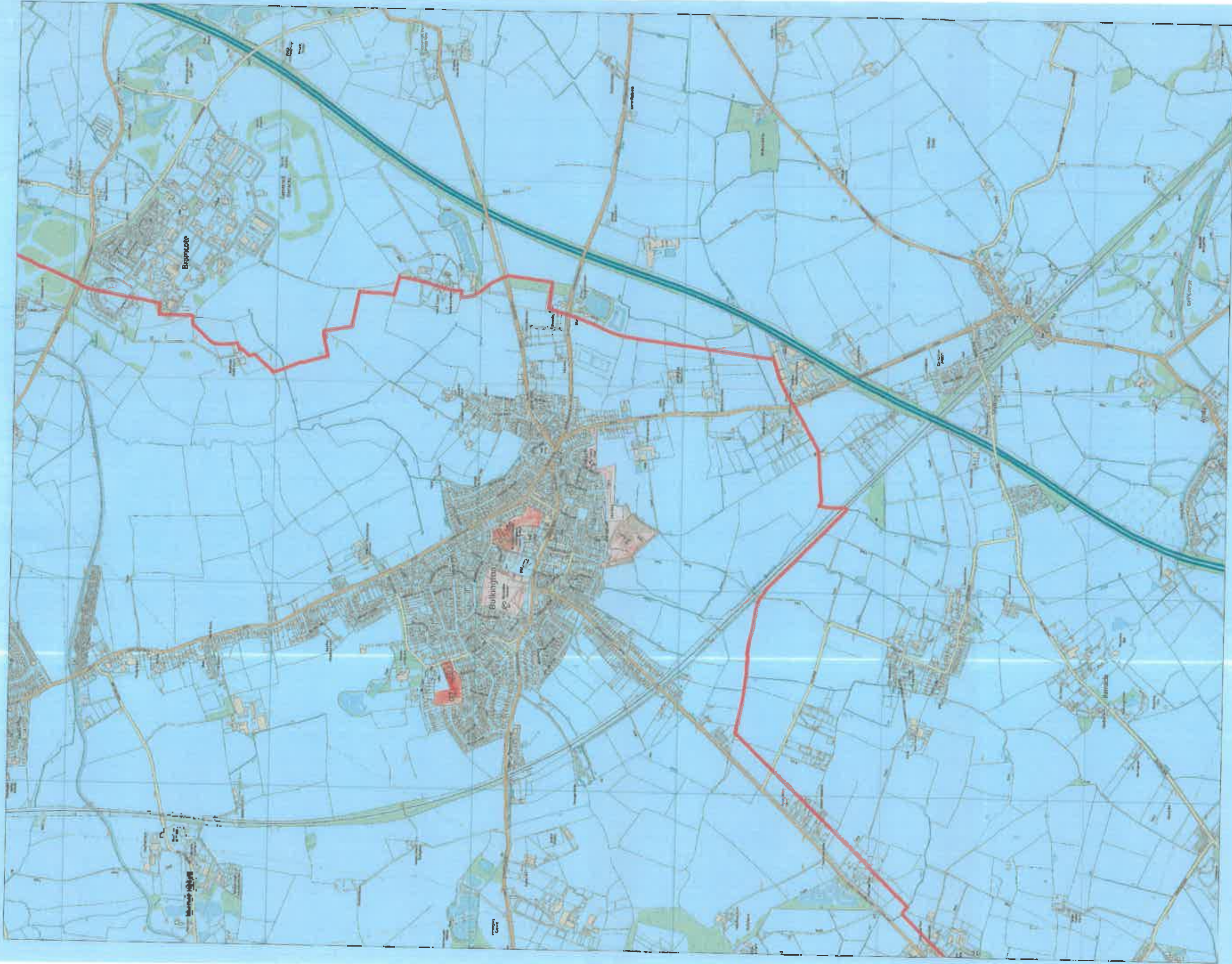
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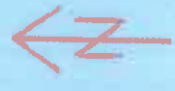
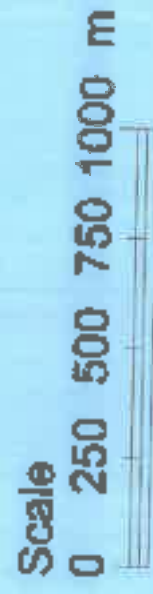


F

# Southeast Bedworth



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003 *EM*

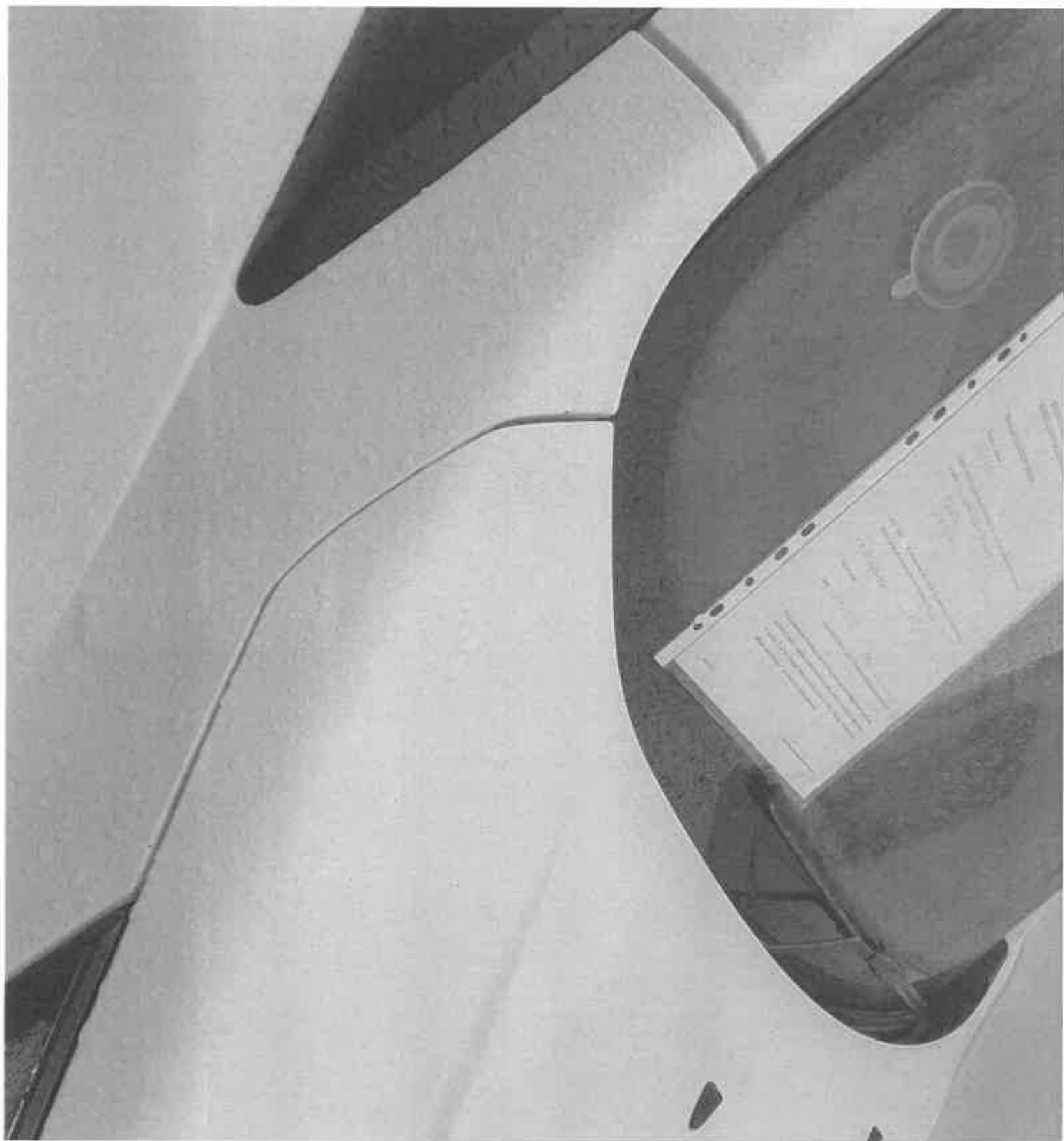
13/09/23





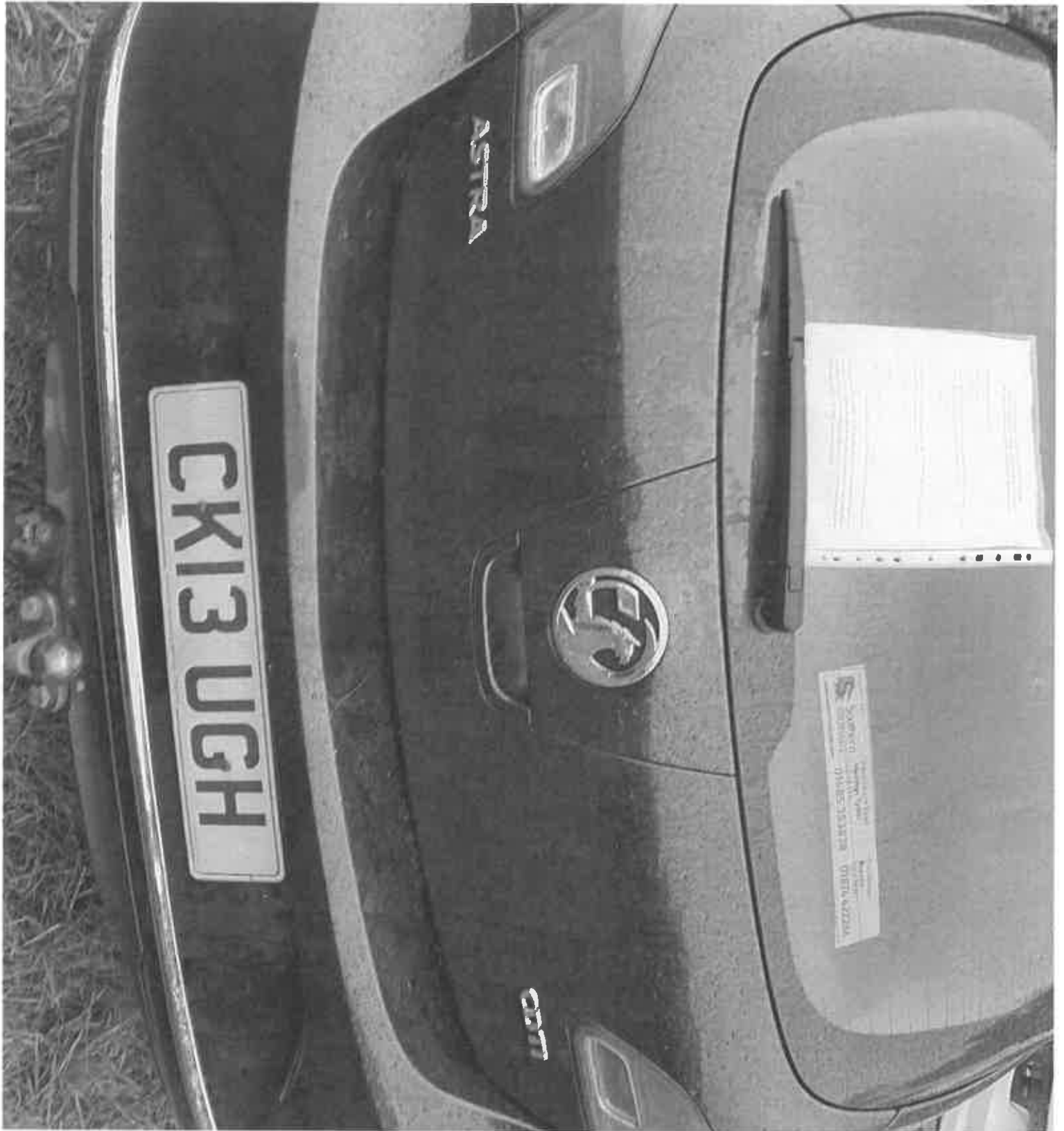
















DD4 *DD*

12/09/2023 **Social Caring Information Checklist**

Encampment Site/Location: *Middlemarsh Recreation Ground*

Respondents' Names and Mobile Home Identity:

*Luke - CUR XWC*

Officer: *DD*

Date: *12/09/23*

- 1. When did you arrive on the land *Yesterday*
- 2. How did you get on the land *St Georges way*
- 3. What permission do you have to be on this land and evidence of this  
*Says Council provided keys*

4. Where did you come from prior to being on this land – previous 2 or 3 camps

5. How long were you on the previous land.

6. Are any of the travellers receiving medical treatment from a GP or local hospital?

YES

NO

a) Name and address of GP/Consultant

b) Any other information

## Social Caring Information Checklist

Encampment Site/Location: Middle March recreation Gd.

Respondents' Names and Mobile Home Identity:

YD 63 2PW

Officer: DD Date: 12/04

1. When did you arrive on the land... Yesterday
2. How did you get on the land... ---
3. What permission do you have to be on this land and evidence of this...  
---

4. Where did you come from prior to being on this land - previous 2 or 3 camps  
---

5. How long were you on the previous land.  
---

6. Are any of the travellers receiving medical treatment from a GP or local hospital?

YES

NO

a) Name and address of GP/Consultant

NA

b) Any other information

NA

# Social Caring Information Checklist

Encampment Site/Location: LX07EWF

Respondents' Names and Mobile Home Identity:  
No Name

Officer: AD Date: 12/09

1. When did you arrive on the land Yesterday
2. How did you get on the land St Georges way
3. What permission do you have to be on this land and evidence of this  
NA

4. Where did you come from prior to being on this land – previous 2 or 3 camps  
NA

5. How long were you on the previous land.  
NA

6. Are any of the travellers receiving medical treatment from a GP or local hospital?

YES

NO

a) Name and address of GP/Consultant  
NA

b) Any other information  
NA

## Social Caring Information Checklist

Encampment Site/Location: .....

*E FGS VFN*

Respondents' Names and Mobile Home Identity:  
.....

Officer: .....

*DD*

Date: .....

*12/09*

1. When did you arrive on the land... *Yesterday* .....
2. How did you get on the land .....
3. What permission do you have to be on this land and evidence of this .....

*NA*

4. Where did you come from prior to being on this land – previous 2 or 3 camps  
.....  
.....  
.....
5. How long were you on the previous land.  
.....  
.....

6. Are any of the travellers receiving medical treatment from a GP or local hospital?

YES

NO

a) Name and address of GP/Consultant

.....

b) Any other information

.....

## Social Caring Information Checklist

Encampment Site/Location: Middle Marsh

Respondents' Names and Mobile Home Identity:

No name - SB65 VGR

Officer: DD Date: 12/09/23

1. When did you arrive on the land St Georges Way - yesterday
2. How did you get on the land .....
3. What permission do you have to be on this land and evidence of this .....

N/A

4. Where did you come from prior to being on this land - previous 2 or 3 camps

5. How long were you on the previous land.

6. Are any of the travellers receiving medical treatment from a GP or local hospital?

YES

NO

- a) Name and address of GP/Consultant

N/A

- b) Any other information

N/A

## Social Caring Information Checklist

Encampment Site/Location: Middlemarsh

Respondents' Names and Mobile Home Identity:

BK 21 870 - No name

Officer: DD Date: 11/09

1. When did you arrive on the land. Yesterday
2. How did you get on the land .....
3. What permission do you have to be on this land and evidence of this .....

NA

4. Where did you come from prior to being on this land – previous 2 or 3 camps

—

5. How long were you on the previous land.

—

6. Are any of the travellers receiving medical treatment from a GP or local hospital?

YES

NO

- a) Name and address of GP/Consultant

NA

- b) Any other information

NA

005 DM

DD5

13/09/23

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

RAZO NEY

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles

on land at *the north side of St Georges Way*  
*Nuneaton*  
*CV10 7BX*

AND THAT all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by *9am*

on *13 September* 20 *23*

and not return.

Dated *12/09/2023*

*DM*.....

Authorised Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPEERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

BK21520 - Caravan

BK21520 - Ford Truck

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles  
on land at

*the north side of St Georges Way*

*Nuneaton*

*CV10 7BX*

AND THAT all such persons must leave the land and remove from the land the vehicle or  
vehicles and any other property they have with them by *9am*

on *13 September*

*20 23*

and not return.

Dated *12/09/2023*

*[Signature]*  
.....

Authorized Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek  
an order to remove vehicles, persons and other property occupying the land in contravention  
of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an  
offence under section 77 for which you may be prosecuted.



**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPER'S TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

CK13 VGH

**TAKE NOTICE** that the Council is satisfied that persons are residing in a vehicle or vehicles

on land at *the north side of St Georges Way*

*Nuneaton*

*CV10 7BX*

**AND THAT** all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by *9am*

on *13/09/2023*

20

and not return.

Dated *12/09/2023*

*[Signature]*  
.....

Authorised Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

YH65AHU

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles  
on land at *the north side of St Georges Way*

*Nuneaton*

*CV10 7BX*

AND THAT all such persons must leave the land and remove from the land the vehicle or  
vehicles and any other property they have with them by *9am*

on *13 September*

20*23*

and not return.

Dated *12/09/2023*

*Ma*  
.....

Authorised Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek  
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**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

BF4YKC

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles on land at

the north side of St Georges Way  
Nuneaton  
CV10 7BX


AND THAT all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by 9am

on 13 September

2023

and not return.

Dated 12/09/2023



Authorised Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPER'S TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

C12 XWC

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles on land at

the north of St George's Way

Nuneaton

CV10 7BX

AND THAT all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by 9am

on 13 September

2023

and not return.

Dated 12/09/2023



.....  
Authorised Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

SB65 VGR

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles on land at

the north side of St Georges Way

Nuneaton

CV10 7BX

AND THAT all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by

9am

on 13 September

20<sup>23</sup>

and not return.

Dated 12/09/2023



.....  
Authorized Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

BW70 EWC

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles on land at

the north side of St Georges Way

Nuneaton

CV10 7BX

AND THAT all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by 9am

on 13 September

20 23

and not return.

Dated 12/09/2023



Authorised Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

R410 LGC

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles on land at

the north side of St Georges Way  
Nuneaton  
CV10 7BX

AND THAT all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by 9am

on 13 September 2023 20

and not return.

Dated 12/09/2023

BM

.....  
Authorised Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.



**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

EF65 YPN

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles  
on land at *the north side of St Georges Way*

*Nuneaton*

*CVID 7BX*

AND THAT all such persons must leave the land and remove from the land the vehicle or  
vehicles and any other property they have with them by *9am*

on *13 September*

*2023*

and not return.

Dated *12/09/2023*

*[Signature]*

.....  
Authorised Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek  
an order to remove vehicles, persons and other property occupying the land in contravention  
of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an  
offence under section 77 for which you may be prosecuted.



**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

YH58 DVF

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles on land at

the north side of St Georges Way  
Nuneaton  
CV10 7BX

AND THAT all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by 9am

on 13 September 2023 20

and not return.

Dated 12/09/2023

.....  
AK

Authorized Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

LX OF EWF

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles on land at

the north side of St Georges Way  
Nuneaton  
CV10 7BX

AND THAT all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by 9am

on 13 September

20 23

and not return.

Dated 12/09/2023

.....  


Authorised Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

MV 25 KDKS

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles  
on land at *the north side of St Georges Way, Nuneaton*

*CV10 7BY*

AND THAT all such persons must leave the land and remove from the land the vehicle or  
vehicles and any other property they have with them by *9am*

on *13 September*

20 *23*

and not return.

Dated *12/09/2023*

*[Signature]*  
.....

Authorised Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek  
an order to remove vehicles, persons and other property occupying the land in contravention  
of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an  
offence under section 77 for which you may be prosecuted.

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

YD63 2PW

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles on land at *the north side of St Georges Way, Nuneaton*

*CV10 7BX*

AND THAT all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by *9am*

on *13 September*

20 *23*

and not return.

Dated *12/09/2023*

*RPL*  
.....

Authorized Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.

00850 Dale

13/09/23

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND**  
**SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

BY61PVE - 00  
BUG1PUE

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles

on land at *the north side of St Georges Way*  
*Nuneaton*  
*CV10 7BX*

AND THAT all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by *9am*

on *13 September* 20*23*

and not return.

Dated *12/09/2023*

*[Signature]*  
.....

Authorised Officer on behalf of Nuneaton and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.

IN THE COMMISSION AREA OF WARWICKSHIRE  
PETTY SESSIONS AREA OF WARWICKSHIRE  
WARWICKSHIRE MAGISTRATES' COURT (Code 2904 or 6904)

To: All occupants of vehicles (including caravans) on occupied land without the consent of the Owner of land at Middlemarch Playing Fields, Middlemarch Road, Nuneaton

COMPLAINT has this day been laid before me, the undersigned, by Nuneaton and Bedworth Borough Council ("the Council"), of Town Hall, Nuneaton, CV11 5AA WHO STATES THAT a number of caravans (including other vehicles) are now stationed on occupied land without the consent of the Owner/Occupier known as Middlemarch Playing Fields, Middlemarch Road, Nuneaton as outlined in red on the attached plan which is within the area of the Council in contravention of a direction given by the Council under section 77 of the Criminal Justice and Public Order Act 1994 ("the Act").

AND the Council has applied to the Magistrates Court for an order under section 78 of the Act requiring any vehicle (including caravans) which are so stationed on the land to be removed together with any other property present on the land and any person residing in the vehicle and for the order to authorise the Council to take such steps as are reasonably necessary to ensure that the order is complied with and for the summons to be directed to all occupants of vehicles (including caravans) stationed on the land without naming them.

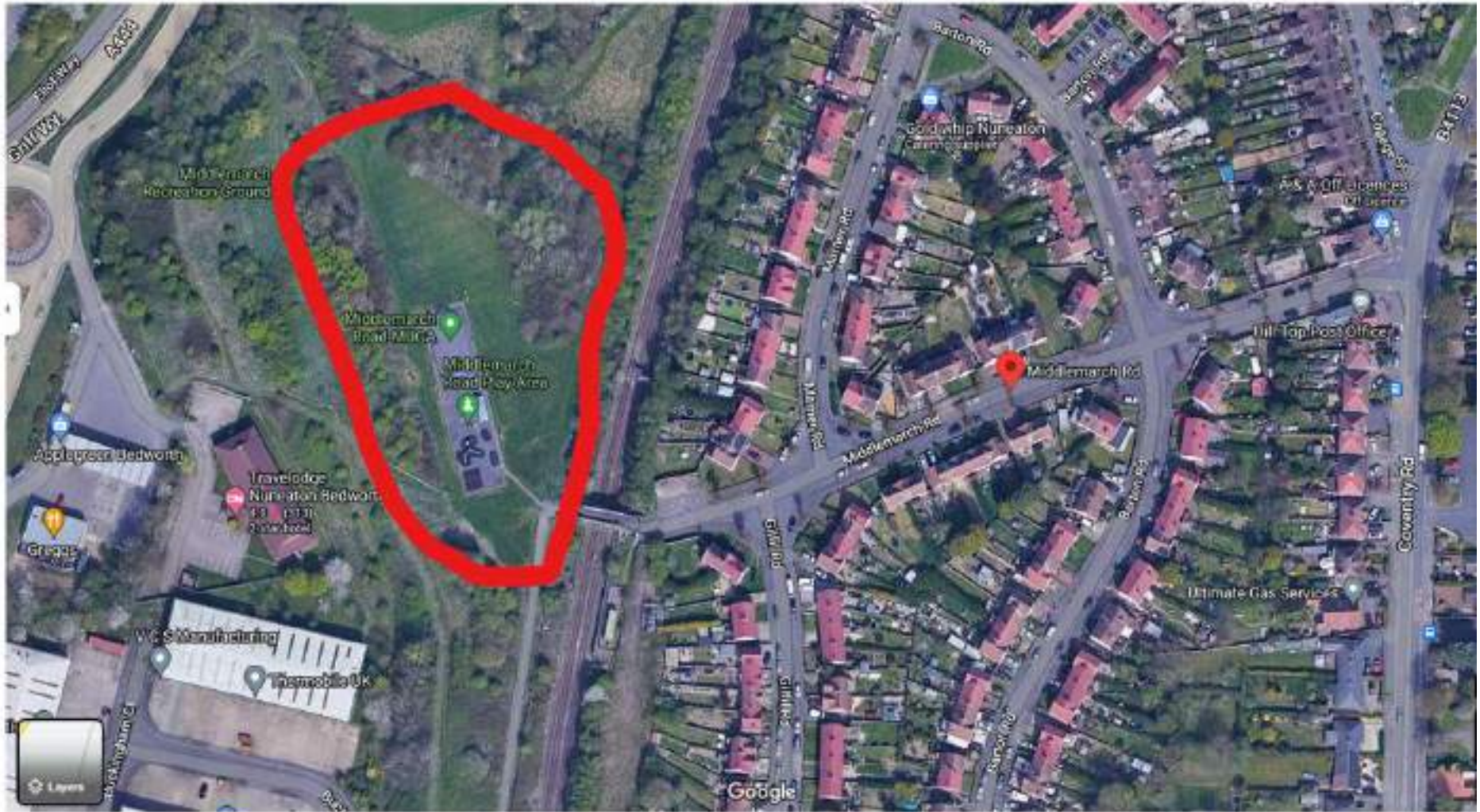
YOU ARE HEREBY SUMMONED to appear before the Coventry Magistrates Court sitting at Coventry Magistrates Court of 60 Little Park Street, Coventry, CV1 2SQ on Monday 18<sup>th</sup> September 2023 at 2pm to answer the said complaint.

Dated this 13<sup>th</sup> day of September 2023

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*Clerk to the Justices/Designated Officer/Justice of the  
Peace for the Coventry & Warwickshire Local Justice Area*

























**NUNSTON AND BEDWORTH BOROUGH COUNCIL  
NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND  
SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

*YD63 ZPW*

**TAKE NOTICE** that the Council is satisfied that persons are residing in a vehicle or vehicles on land at

*Land to the north of St George's Way  
Nunston*

**AND THAT** all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by

*on 15th September*

*9am  
23*

and not return.

Dated *14th September*

*[Signature]*  
Authorised Officer on behalf of Nunston and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.

**MINSTER AND BEDWORTH BOROUGH COUNCIL  
NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND  
SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

SE17 SKV

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles on land at

Land to the north of St George's Way  
Minster

AND THAT all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by

on 15<sup>th</sup> September

2023

and not return.

Dated 10<sup>th</sup> September 2023

*[Signature]*

Authorised Officer on behalf of Minster and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.

**MINSTER AND BEDWORTH BOROUGH COUNCIL  
NOTICE TO UNAUTHORISED CAMPERS TO LEAVE LAND  
SECTION 77 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**TO ALL OCCUPANTS OF VEHICLE**

including (name(s))

SX21 E/V

TAKE NOTICE that the Council is satisfied that persons are residing in a vehicle or vehicles on land at

The north of St George's Way  
Minster

AND THAT all such persons must leave the land and remove from the land the vehicle or vehicles and any other property they have with them by

on 15<sup>th</sup> September

2023

and not return.

Dated 10<sup>th</sup> September 2023

*[Signature]*

Authorised Officer on behalf of Minster and Bedworth Borough Council

If this direction is not complied with, the Council may apply to the Magistrates' Court to seek an order to remove vehicles, persons and other property occupying the land in contravention of section 77 of the Criminal Justice and Public Order Act 1994. You may also commit an offence under section 77 for which you may be prosecuted.









IN THE COMMISSION AREA OF WARWICKSHIRE  
PETTY SESSIONS AREA OF WARWICKSHIRE  
WARWICKSHIRE MAGISTRATES' COURT

COMPLAINT having been made by NUNEATON AND BEDWORTH BOROUGH COUNCIL of Town Hall, Nuneaton, Warwickshire, CV11 5AA WHO STATES that a number of vehicles (including caravans) were on 18 September 2023 stationed on occupied land without the consent of the occupier on Middlemarch Playing Fields, Middlemarch Road, Nuneaton as outlined in red on the attached plan and being within the area of the Council in contravention of a direction given by the Council under section 77 of the Criminal Justice and Public Order Act 1994.

IT IS ADJUDGED THAT the complaint is true and it is ordered that any vehicle (including a caravan) referred to in the schedule below which is stationed on occupied land without the consent of the occupier on Middlemarch Playing Fields, Middlemarch Road, Nuneaton to be removed forthwith together with any other property present on the land and any person residing in it.

AND THAT Nuneaton and Bedworth Borough Council acting by its officers and servants is hereby authorised to enter upon the land specified in this order and remove any said vehicle together with any other property present on the land and any person residing in it and to use tractors, lorries or any other vehicles and cranes for carrying out the removal.

Schedule

<u>Registration</u>	<u>Description</u>	<u>Family Name</u>
MV23 BKJ	Ford	Unknown
R410 LGC	Unknown	Unknown
BV61 PUE	Unknown	Unknown
CV12 XWC	Ford	Unknown
CK13 UGH	Vauxhall	Unknown
BF14 YKC	Ford	Unknown
YD63 ZPW	Volkswagen	Unknown
LX07 EWF	Unknown	Unknown
EF65 YPN	Unknown	Unknown
SB65 VGR	Mercedes	Unknown
BK21 SZO	Unknown	Unknown
RA20 NEY	Ford	Unknown
YH85 AHU	Unknown	Unknown
C12 XWC	Unknown	Unknown
BW70 EWC	Unknown	Unknown
YH58 DVF	Ford	Unknown
SE17 SKV	Ford	Unknown

SK21 EYV  
CV10 7BX  
YS65 OKU  
MF22 XCO

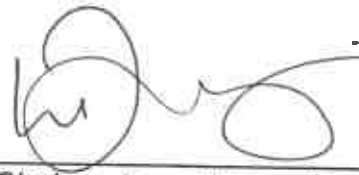
Unknown  
Unknown  
Ford  
Ford

Unknown  
Unknown  
Unknown  
Unknown

And the removal of any vehicle or other property which is so present on the land and any person residing in it.

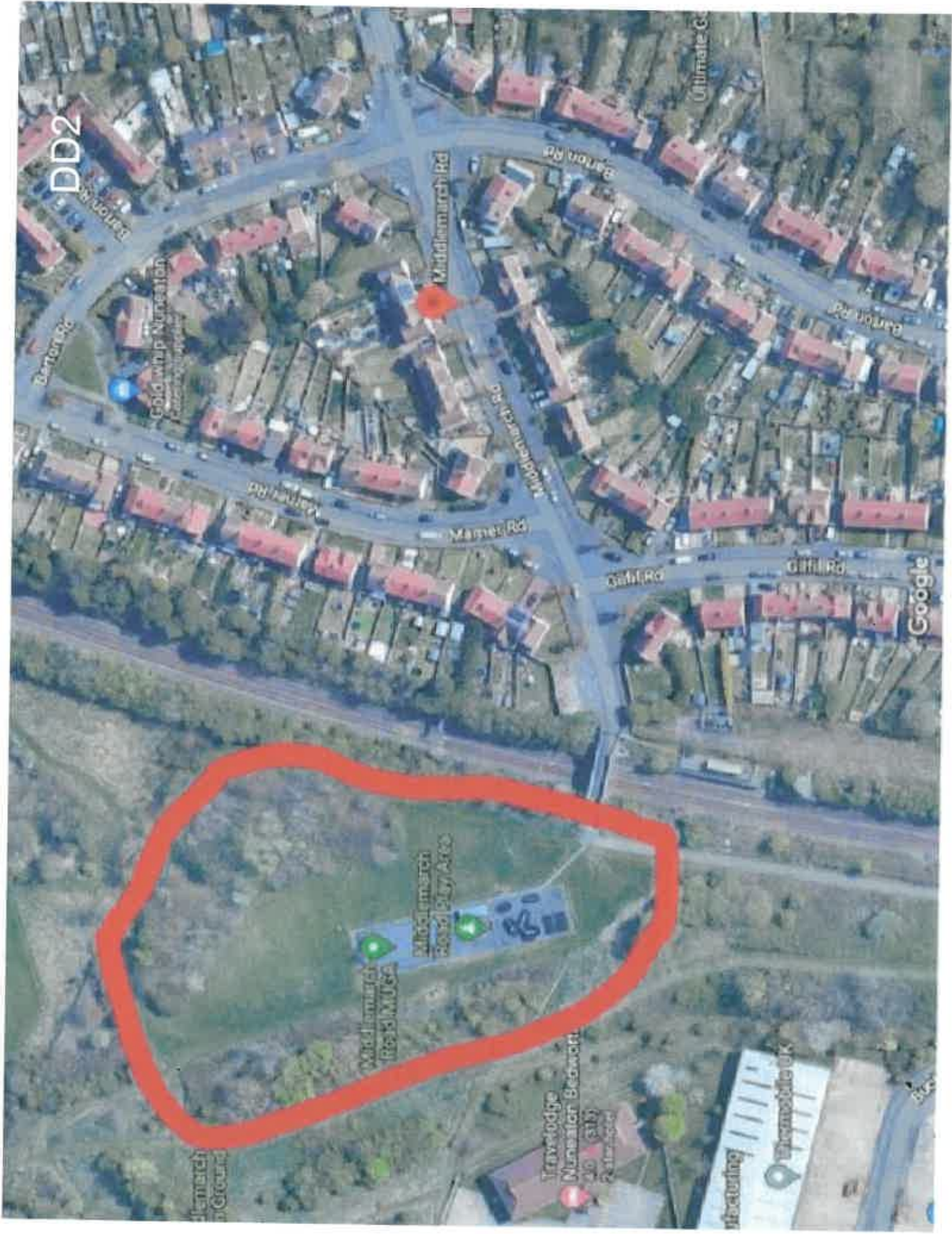
All unknown persons.

Dated the 18<sup>th</sup> day of September 2023

 (L. DOWLING)

~~Clerk to the Justices/Designated  
Officer/Justice of the Peace for the  
Coventry & Warwickshire Local Justice  
Area~~





case id	date created	date completed	citizen name	methodOfC	siteLocation	descriptionOfIssue
						<p>Reports of Travellers located in area. Dogs are off the lead in the area near the park. 2 dogs have gone into the garden at [REDACTED] and have attacked a cat. They have Mauled and killed the cat. Customer was very upset and worried about her own dogs and children. I advised that dangerous dogs are dealt with by the police, and she needs to contact them. Customer advised that she has contacted the police and they have told her to contact the council. Customer described the dogs as spaniels (Different dogs to the 2 Jack Russell's reported at Middlemarch school). Can this please be looked into/ the police contacted by a member of staff as the public are at risk of these dogs attacking again.</p>
NBIE548186540	19/09/2023 11:18	19/09/2023 11:18	[REDACTED]	Telephone	Middlemarch Recre.	<p>Customer that called is [REDACTED]. Customer has called regarding Travellers at Middlemarch Recreation Ground. Reports that they are still in the location. Reports that they have dogs roaming the area off the lead, this is preventing people</p>
NBIE547965980	18/09/2023 14:43	18/09/2023 14:43	[REDACTED]	Telephone	Middlemarch Recre.	<p>coming out of their properties. There are around 15 vehicles and caravans combined on the park as well as horses, sheep and dogs free</p>
NBIE547395645	15/09/2023 13:50	15/09/2023 13:50	[REDACTED]	Telephone	Middlemarch Recre.	<p>roaming. Customer called to update you of the travelers encampment/site you are already aware of/dealing with. There are now 35 caravans &amp; the Travellers are cutting down trees, wrecking Middlemarch recreational park.</p>
NBIE546530110	12/09/2023 14:25	12/09/2023 14:25	[REDACTED]	Telephone	Middlemarch recrea	

NBIE546252627	11/09/2023 15:40	11/09/2023 15:40	[REDACTED]	Telephone	Middlemarch Recre.	At least 1 caravan came onto the park approximately an hour ago but there could be more by now.
						ABANDONED CARAVAN
						WHITE VAN
NBIE521800413	06/06/2023 10:32	06/06/2023 10:32	[REDACTED]	Telephone	AT THE REAR OF [REDACTED]	YOUTHS ARE USING THE CARAVAN























































































































**IN THE HIGH COURT OF JUSTICE**  
**KING'S BENCH DIVISION**

**Claim No. QB-2019-000616**

**B E T W E E N :**

**(1) NUNEATON AND BEDWORTH BOROUGH COUNCIL**  
**(2) WARWICKSHIRE COUNTY COUNCIL**

**Claimants**

**-and-**

**(1) THOMAS CORCORAN**  
**(2)-(53) OTHER NAMED DEFENDANTS**  
**(54) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS WITHIN THE BOROUGH**  
**OF NUNEATON AND BEDWORTH**

**Defendants**

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**Exhibit 'WS2'**

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**Extraordinary Council**

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**Report Summary Sheet**

**Date: 17<sup>th</sup> January 2024**

**Subject: Up-date on the Gypsy and Traveller Site Allocations Development Plan Document (DPD); Consideration of the Planning Inspector's Report and to request adoption of the amended DPD.**

**Portfolio: Cabinet Member for Planning and Regulation (Councilor R. Smith)**

**From: Assistant Director Planning**

**Summary:**

The purpose of this report is to update Members on the Gypsy and Traveller Site Allocations Development Plan Document (DPD); Consideration of the Planning Inspector's Report on the Examination of the DPD and to recommend to Council to approve the DPD now that the Secretary of State – Planning Inspectorate has confirmed the Document is considered sound (appendix A).

This is with the caveat that any minor typing or page numbering errors can be carried out by Delegated Powers of the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation.

**Recommendations:**

It be recommended to Council that:

- The public consultation responses be noted.
- The Gypsy and Traveller Site Allocations Development Plan Document (DPD) published in January 2022 as amended (appendix B) by:
  - The Inspectors final report (appendix A);
  - The schedule of Main Modifications recommended by the Inspector (appendix C); and
  - The schedule of Additional Modifications (appendix D)

be adopted.

- The above is subject to making available as soon as is practicable and in accordance with regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended):
  - The Inspectors Final Report.
  - The DPD.
  - An Adoption Statement.
  - The Sustainability Report and Addendum and Habitats Regulations Assessment and Main Modifications Habitats Regulations Assessment.
  - Details of where the DPD will be available for inspection and the places and times at which the document can be inspected.
  - Send a copy of the Adoption Statement to any person who has asked to be notified of the adoption of the DPD.
  - Send a copy of the Adoption Statement to the Secretary of State.
- The Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation be given Delegated Authority to make any further amendments such as minor typing or page numbering errors.
- The adopted Local Plan map be amended to include the site allocations.
- The report be marked 'not for call in' as provided for in paragraph 15(f) of the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.
- The DPD will supersede the third bullet point of Adopted Borough Plan 2011-2031 Policy DS4 – Overall development needs and supersede all of Policy H3 – Gypsies and Travellers.

**Options:**

- For Council to approve the amended Gypsy and Traveller Site Allocations Development Plan Document (DPD) (including the Inspectors Final Report and Modifications required by the Planning Inspector). Subject to the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation be given Delegated Authority to make any further amendments such as minor typing or page numbering errors
- Not to endorse the recommendations but recommend an alternative.

**Reasons:**

To ensure the Council has Policy in place to allocate sites to meet the Borough's identified need for Gypsy and Traveller pitches and Showpersons plots and to support and in part supersede Policies in the existing Adopted Borough Plan and in line with the timetable established within the amended Local Development Scheme.

**Consultation undertaken with Members/Officers/Stakeholders**

Consultation with the Portfolio Holder – Planning and Regulation and The Chair of the Business, Regeneration and Planning Overview and Scrutiny Panel.

Strategic Director for Public Services and Assistant Director for Planning.



The Document has been taken to the Borough Plan Committee and Cabinet and Council at the appropriate stages.

Consultation with key stakeholders and public consultation for Issues and Options and Publication stages, including some further consultation with statutory consultees between the stages. Final consultation of the requested Main and Additional Modifications.

**Subject to call-in:** No

**Ward relevance:** All

**Forward plan:** Yes.

Adoption of the DPD is a Key Decision. Unfortunately, the DPD has not shown on the Forward Plan for the requisite period, in the belief that the Inspector's report would not be received until the New Year. Because of this and the need to have the DPD adopted at the earliest opportunity, the Urgency Procedure, as set out in the Council's Constitution, has been utilised. The Chair of the Business, Regeneration and Planning Overview and Scrutiny Panel has been consulted and a notice placed on the Council's website and public notice boards.

**Building a Better Borough Aim:** All

**Building a Better Borough Priority:** All

**Relevant statutes or policy:**

Planning and Compulsory Purchase Act 2004 (as amended) and the associated Town And Country Planning (Local Planning) (England) Regulations 2012 (as amended).

National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

**Equalities Implications:** None

**Human resources implications:**

The timetable accounts for existing known staffing and resource levels.

**Financial implications:**

The costs associated with progressing the DPD have been met within existing budgets. If any additional work is required/necessary, this has not been accounted for and may result in budget pressure for 2023/24.

**Health Inequalities Implications:** None

**Section 17 Crime & Disorder Implications:** None

**Risk management implications:**

If the DPD is not adopted, the Council cannot demonstrate a Five-Year Supply of pitches and plots.

**Environmental implications:**

The DPD document needs to align with the latest Government guidance on preserving and enhancing the natural environment.

**Legal implications:** None

**Contact details:**

Maria Bailey  
Assistant Director for Planning  
024 7637 6144  
[maria.bailey@nuneatonandbedworth.gov.uk](mailto:maria.bailey@nuneatonandbedworth.gov.uk)

Jacqui Padbury  
Principal Planning Policy Officer  
024 7637 6162  
[jacqueline.padbury@nuneatonandbedworth.gov.uk](mailto:jacqueline.padbury@nuneatonandbedworth.gov.uk)



**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to: Council – 17h January 2024**

**From: Assistant Director - Planning**

**Subject: Up-date on the Gypsy and Traveller Site Allocations Development Plan Document (DPD); Consideration of the Planning Inspector’s Report and to request adoption of the amended DPD.**

**Portfolio: Planning and Regulation – Councillor R. Smith**

**Building a Better Borough Aim: All**

**Building a Better Borough Priority: All**

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1. Purpose of Report

1.1 The purpose of this report is to update Members on the Gypsy and Traveller Site Allocations Development Plan Document (DPD); Consideration of the Planning Inspector’s Report on the Examination of the DPD and to recommend to Council to approve the DPD now that the Secretary of State – Planning Inspectorate has confirmed the Document is considered sound (Appendix A).

1.2 This is with the caveat that any minor typing or page numbering errors can be carried out by Delegated Powers of the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation.

2. Recommendations

It be recommended to Council that:

2.1 The public consultation responses be noted.

2.2 The Gypsy and Traveller Site Allocations Development Plan Document (DPD) published in January 2022 as amended (Appendix B) by:

- The Inspectors Final Report (Appendix A);
- The schedule of Main Modifications recommended by the Inspector (Appendix C); and
- The schedule of Additional Modifications (Appendix D)

be adopted.

- 2.3 Subject to 2.2 make available as soon as is practicable and in accordance with regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended):
- The Inspectors Final Report.
  - The DPD.
  - An Adoption Statement.
  - The Sustainability Report and Addendum and Habitats Regulations Assessment and Main Modifications Habitats Regulations Assessment.
  - Details of where the DPD will be available for inspection and the places and times at which the document can be inspected.
  - Send a copy of the Adoption Statement to any person who has asked to be notified of the adoption of the DPD.
  - Send a copy of the Adoption Statement to the Secretary of State.
- 2.4 The Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation be given Delegated Authority to make any further amendments such as minor typing or page numbering errors.
- 2.5 The adopted Local Plan map be amended to include the site allocations.
- .
- 2.6 The report be marked 'not for call in' as provided for in paragraph 15(f) of the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.
- 2.7 The DPD will supersede the third bullet point of Adopted Borough Plan 2011-2031 Policy DS4 – Overall development needs and supersede all of Policy H3 – Gypsies and Travellers.
3. Background
- 3.1 The purpose of this DPD is to allocate sites to meet the Borough's identified need for Gypsy and Traveller pitches and Showpersons plots.
- 3.2 The Publication version of the Gypsy and Traveller Development Plan Document (DPD) was published and consulted upon between the 28<sup>th</sup> January 2022 and the 25<sup>th</sup> March 2022 and the responses received were considered before the DPD and supporting documents were submitted for Examination to the Secretary of State (Planning Inspectorate on the 29<sup>th</sup> June 2022. The Hearing was held with the Planning Inspector on the 27<sup>th</sup> October 2022.



- 3.3 As part of the Examination process, amendments to the Publication were agreed with the Inspector which has resulted in amendments to the DPD. For clarity, these Modifications were split between 'Main Modifications' and 'Additional Modifications'. 'Main Modifications' (Appendix C) are those recommended by the Inspector to make the DPD sound and legally compliant. 'Additional Modifications' (Appendix D) are those which do not materially affect the Policies in the DPD, but which are generally minor factual updates; corrections of any errors or which are considered necessary for clarity.
- 3.4 Once adopted the DPD will supersede the third bullet point of Adopted Borough Plan 2011-2031 Policy DS4 – Overall development needs and supersede all of Policy H3 – Gypsies and Travellers.
- 3.5 The Planning and Compulsory Purchase Act 2004 is the legislation which sets out the process for Local plans and states:  
“Section 23 Adoption of local development documents ...  
(2) If the person appointed to carry out the independent examination of a development plan document recommends that it is adopted, the authority may adopt the document—  
(a) as it is, or  
(b) with modifications that (taken together) do not materially affect the policies set out in it.  
(2A) Subsection (3) applies if the person appointed to carry out the independent examination of a development plan document—  
(a) recommends non-adoption, and  
(b) under section 20(7C) recommends modifications (“the main modifications”).  
(3) The authority may adopt the document—  
(a) with the main modifications, or  
(b) with the main modifications and additional modifications if the additional modifications (taken together) do not materially affect the policies that would be set out in the document if it was adopted with the main modifications but no other modifications.  
(4) The authority must not adopt a development plan document unless they do so in accordance with subsection (2) or (3).  
(5) A document is adopted for the purposes of this section if it is adopted by resolution of the authority.”
- 3.6 The Inspector in this case has recommended that the plan is unsound unless adopted with the Main Modifications as set out in Appendix C. Additional Modifications have also been carried out (Appendix D). No other changes can be made to the plan which alter its contents (beyond minor changes). Any changes which are significant would prevent the Council being able to adopt the plan by virtue of Section 23(4) above.

3.7 The only alternative option available to the Council would be to recommend withdrawal of the plan pursuant to section 22 of the Act. This is outlined below:

“22 Withdrawal of local development documents

(1) A local planning authority may at any time before a local development document is adopted under section 23 withdraw the document.”

4 Consultation and responses received to the Main and Additional Modifications and communication with the Planning Inspectorate

4.1 The Modifications were consulted on between 4<sup>th</sup> September 2023 to the 16<sup>th</sup> October 2023.

4.2 There were seven responses to the Modifications all which were viewed positively. One was from a member of the public and the remaining ones were specific or statutory consultees. The responses are as follows:

Type of consultee response and organisation	Initials	Consider legally compliant	Consider sound	Comments
Member of public	DB	yes	yes	I support the modifications set out in the Gypsy & Traveller DPD to be included as part of the revised Borough Plan. In particular, I support the revised data in respect of the pitch requirements and the proposals to revise the layout of existing sites and/or locate any expansion of capacity within existing sites or adjacent where practicable.
Specific and statutory consultation body - Coal Authority	ML	Not stated	Not stated	<p>The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.</p> <p>Our records indicate that within the Nuneaton and Bedworth DPA area, there are coal mining features present at surface and shallow depth including: mine entries, coal workings and reported surface hazards. These recorded features may pose a potential risk to surface stability and public safety.</p> <p>The Coal Authority's records also indicate that</p>



				<p>surface coal resource is present in the area, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning process consideration should be given to such advice in respect of the indicated surface coal resource.</p> <p>I have reviewed the Main Modifications proposed and can confirm that the Planning team at the Coal Authority have no specific comments to make on these.</p>
Specific and statutory consultation body - Environment Agency	TJ	Not stated	Not stated	<p>Thank you for consulting the Environment Agency on the above local plan consultation, which we received via email on 4 September 2023.</p> <p>Based on our records we previously provided comments at the formal pre-submission stage of the process, in letter dated 15 March 2022 (letter reference UT/2007/101886/OT-04/SB1-L01).</p> <p>For completeness, we note the following main modification documents have been published for comment:  - CD 6.2 Schedule of Main Modifications (June 2023) &amp; - CD 6.3 Schedule of Additional Main Modifications (June 2023)</p> <p>In light of the proposed Main (and Additional Main) Modifications and our previous representations, we note our comments have been incorporated into modifications MM13 and Additional Modification M12.</p> <p>As such we have no further comments to make at this stage.</p>
General consultation body - Equality and Human Rights Commission		Not stated	Not stated	<p><u>Case 7975320</u>  <u>Subject: Consultation on Site Allocation Document for Gypsies and Travellers</u></p> <p>Thank you for your email dated 4 September 2023. The Commission does not have the resources to respond to all consultations, and will respond to consultations only where it considers they raise issues of strategic importance.</p> <p>While unfortunately we are unable to respond in</p>

			<p>this particular instance, the Commission has engaged in a wide range of work related to Gypsy and Travellers issues and therefore to assist I have referred you to some of the most relevant below.</p> <p><u>Public Sector Equality Duty</u> Councils have duties under the Public Sector Equality Duty (PSED) set out in section 149 Equality Act. In the exercise of all its functions, it has a duty to have 'due regard' to three statutory equality needs:</p> <ul style="list-style-type: none"> <li>• to eliminate discrimination and harassment;</li> <li>• to advancing equality of opportunity between members of protected groups and others; and</li> <li>• to foster good relations between persons who share a relevant protected characteristic and persons who do not.</li> </ul> <p>We provide advice for public authorities on how to apply the PSED, which is an on-going legal obligation and must be complied with as part of the planning process.</p> <p>The PSED is the mechanism through which public authorities involved in the planning process should consider the potential for planning proposals to have an impact on equality for different groups of people. You can find our technical guidance <a href="#">here</a>.</p> <p><u>Commission research</u> Our research has shown that Gypsy and Traveller communities in Britain experience wide-ranging inequalities. Many stereotypes about Gypsy Travellers already exist, and negative attitudes and ingrained prejudices within parts of wider society can be hard to tackle. In addition, racism towards Gypsies and Travellers is still common and seen as justified. The Royal Town Planning Institute Guidance Notes also point out that Gypsies and Travellers are often treated as a group against whom it is acceptable to be prejudiced in the planning process.</p> <p>Please see links below to our research reports on Gypsies and Travellers below: 'Inequalities experienced by Gypsies and Travellers' <a href="http://www.equalityhumanrights.com/en/gypsies-">http://www.equalityhumanrights.com/en/gypsies-</a></p>
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				<a href="http://www.equalityhumanrights.com/en/gypsies-and-travellers-simple-solutions-living-together/gypsies-and-travellers-research-reports">and-travellers-simple-solutions-living-together/gypsies-and-travellers-research-reports</a> . 'Simple Solutions for living together' <a href="http://www.equalityhumanrights.com/en/gypsies-and-travellers-simple-solutions-living-together">http://www.equalityhumanrights.com/en/gypsies-and-travellers-simple-solutions-living-together</a> .
Specific and statutory consultation body - Historic England	EB	Not stated	Not stated	In relation to Nuneaton & Bedworth Borough Council's Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Main Modifications, I can confirm that Historic England has no comments to make.
Specific and statutory consultation body - National Highways	RG	Not stated	Not stated	<p>National Highways welcomes the opportunity to comment on the Publication Version of the Borough Local Plan which covers the plan period from 2021 to 2039. The document provides a vision for the future of the area and sets out a number of key objectives and planning policies that will be used to help support growth across the region. Alongside this, we also welcome the opportunity to respond to the Main Modifications consultation on the Gypsy and Traveller Site Allocations DPD which sets out to allocate sufficient land to meet the Gypsy, Traveller and Travelling Showpeople needs up to 2037.</p> <p>National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth.</p> <p>In relation to this consultation, National Highways' principal interest is in safeguarding the operation of the M6 and M69 motorways and the A5 trunk road which route through the area.</p> <p><u>Gypsy and Traveller Site Allocations Development Plan Document (DPD) – Main and Additional Modifications</u></p> <p>We note that the Publication Version of the Gypsy and Traveller DPD was consulted upon in early 2022 before it was submitted for Examination to the Secretary of State later that year. As part of the examination process, a series of amendments to the DPD have been agreed with the Inspector to make the DPD both sound and legally compliant (Main</p>

				<p>Modifications) and factually correct (Additional Modifications). The Main and Additional Modifications form the subject of this latest consultation.</p> <p>We note that 'Policy H3 – Gypsies and Travellers' set out within the adopted Borough Plan (2011-2031) will be superseded by the Gypsy and Traveller Site Allocations DPD. The DPD allocates sufficient land to meet the Gypsy, Traveller and Travelling Showpeople needs up to 2037.</p> <p>The following Gypsy and traveller sites are allocated within the amended DPD.</p> <ol style="list-style-type: none"> <li>1. GTSA1 - Sunrise Cottage for three additional pitches</li> <li>2. GTSA2 - The Old Nursery for five to six new pitches</li> <li>3. GTSA3 - Winter Oak for six additional pitches</li> </ol> <p>We note that GTSA3 is located in the close vicinity of the A5 which forms part of the SRN in the area. As part of the Publication Version, we recommended that text should be included within Policy GT3 – Site Allocations to outline the need for the applicant to liaise with National Highways prior to the submission of a planning application. We welcome the fact that this has been included as part of the Additional Modifications response and therefore have no further comments to provide.</p> <p><u>Summary</u></p> <p>In relation to the Gypsy and Traveller Site Allocations DPD, we note that our previous comments have been incorporated into the document as part of the Additional Modifications consultation and this is welcomed.</p>
Specific and statutory consultee WCC Flood Risk Management		Not stated	Not stated	<p>Thank you for consulting Warwickshire County Council as Lead Local Flood Authority (LLFA).</p> <p>We have reviewed both the Borough Plan review DPD and G&amp;T Site Allocations DPD. We have no specific comments to raise in relation to these documents.</p>

4.3 These consultation responses were then sent to the Planning Inspector.



## 5 The Inspectors Report

- 5.1 The Inspectors Final Report concludes that the Nuneaton and Bedworth Gypsy and Traveller Site Allocations Development Plan Document ('DPD') 2021-2037 provides an appropriate basis for addressing the accommodation needs of Gypsies and Travellers in the Borough, provided that a number of Main Modifications are made to it.
- 5.2 There was a caveat to the agenda report in May 2022 that was requesting approval to submit to the Secretary of State which stated that:  
'Delegated Authority be given to the Head of Planning and Building Control in consultation with the Cabinet Member for Planning and Regulations to make any minor modifications to the Document that the Planning Inspector deems necessary to make the plan sound'. Therefore, it is considered that these Modifications can be made. The schedule of Modifications is provided in Appendices C and D.
- 5.3 The Inspectors report includes several requirements that have to be made in order for the Document to be considered appropriate for adoption. He divides the report into areas, a summary of each section is set out below:
- 5.4 *Non-Technical Summary*  
Concluding the DPD is appropriate subject to Modifications (as agreed between the Council and Planning Inspector) and which were subject to consultation. This also provides a precis of the Main Modifications.
- 5.5 *Introduction*  
That the report is the Planning Inspectors assessment of the DPD and other documents submitted as part of the Examination process.
- 5.6 *Main Modifications*  
Confirming the Council requested the Inspector to recommend any Main Modifications and confirming these were open to consultation.
- 5.7 *Policies Map*  
Confirms the Council will need to update the adopted Policies map to include all the changes in the DPD.
- 5.8 *Context of the Plan*  
Confirms that the DPD sets out the Policies and sites proposed and that some Policies in the adopted Borough Plan will be superseded by the DPD.
- 5.9 *Assessment of Duty to Co-Operate*

The methods and communication the Council had with other Local Authorities and statutory consultees. States that the Inspector is satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the DPD and that the duty to co-operate has therefore been met.

5.10 *Public Sector Equality Duty*

The Inspector considers that the Equality Act 2010 has been met including general needs, needs of particular age groups, concealed households, future household formation and for those who have ceased to travel.

5.11 *Assessment of Other Aspects of Legal Compliance*

That the DPD complies with the Council's Local Development Scheme and that consultation was carried out on the DPD and Main Modifications in compliance with the Council's Statement of Community Involvement. That the Council carried out a Sustainability Appraisal and Habitat Regulations Assessment at the relevant stages. That the DPD includes policies designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change and policies are contained within the adopted Borough Plan. The Report also details where adopted Policies are to be superseded.

5.12 *Assessment of Soundness*

Identifies the main issues upon which the soundness of the DPD depends and that subject to Main Modifications the proposed site allocations are justified and identifies a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against the requirement.

5.13 Within the assessment of soundness 3 issues were considered as follows:

5.14 *Issue 1 – Whether the Council's overall strategy for meeting Gypsy and Traveller and Travelling Showpeople accommodation needs is justified and whether it is consistent with the adopted Borough Plan (2019).*

5.15 This refers to the distribution of sites, the need including hidden households and that whilst the sites requirement could potentially be met on the WCC owned site, the further identified sites provide a robust approach. The issue also discusses the need to supersede some of the Borough Plan Policies and the decision not to remove the sites from the Green Belt. The monitoring arrangement has also been assessed and the Report concludes that subject to the Main Modifications, the Council's overall strategy for meeting G&T accommodation needs is justified and consistent with the adopted Borough Plan.



- 5.16 *Issue 2 – whether the proposed site allocations are justified and whether the DPD identifies a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against the requirement.*
- 5.17 Considers the justifications of the existing underutilised existing sites and the proposed site including the Showperson plots are robust subject to Main Modifications.
- 5.18 The Inspector then assesses the discussions held during the Examination process and he states that:  
“In terms of transit provision, the GTTSAA recommended that the Council make use of negotiated stopping arrangements. In this regard, the Council has already made use of negotiated stopping in the Borough and has developed a standard agreement that both it and the Gypsies and Travellers in question sign in such circumstances. This includes the condition the site will be left in, the services that will be provided to it (refuse collection, portable toilets, etc), and includes a financial bond. The Council intends to roll out this approach going forward. In light of the evidence before me, including that given at the hearing session, I am satisfied that this is a sensible approach to transit provision and that the DPD is therefore sound in the absence of allocating sites for this purpose.”  
The Inspector would not have considered the DPD sound without this requirement.
- 5.19 The Inspector concludes that subject to Main Modifications that issue 2 is considered acceptable and that the DPD identifies a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against the requirement.
- 5.20 *Issue 3 – Whether the proposed criteria-based policy is necessary, justified, effective, and consistent with national policy.*
- 5.21 The Inspector in issue 3 refers to the necessity for having a criteria based policy to provide a basis for planning applications. He agrees the sequential approach taken to proposals is appropriate and concludes that subject to Main Modifications the Policy is acceptable.
- 5.20 *Overall Conclusion and Recommendation.*  
The DPD has a number of deficiencies which means it could not be adopted in its original form but subject to the Modifications, the DPD is capable of adoption; that the duty to cooperate has been met, and therefore complies with Section 20(5)(a) of the 2004 Act and is sound.

## 6 Conclusion

- 6.1 That the responses to the Main and Additional Modifications are noted. That Cabinet recommend to Council that The Gypsy and Traveller Site Allocations Development Plan Document (DPD) published in January 2022 as amended (Appendix B) by:
- The Inspectors Final Report (Appendix A);
  - The schedule of Main Modifications recommended by the Inspector (Appendix C); and
  - The schedule of Additional Modifications (Appendix D)
- be adopted.
- 6.2 This is with the caveat that any minor typing errors or page numbering errors can be carried out by Delegated Powers of the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation

## 7 Appendices

Appendix Reference	Details of Appendix document
A	Planning Inspectors Report considering the document is sound subject to Modifications.
B	Gypsy and Traveller Site Allocations Development Plan Document 2021 - 2037
C	Main Modifications necessary to make the DPD sound
D	Additional Modifications.

## 8 Background Papers

The published documents for the Gypsy and Traveller Site Allocations Development Plan Document can be viewed at:

[Proposed Gypsy and Traveller Site Allocations Development Plan Document | Proposed Gypsy and Traveller Site Allocations DPD | Nuneaton & Bedworth \(nuneatonandbedworth.gov.uk\)](https://www.nuneatonandbedworth.gov.uk/Document/Proposed-Gypsy-and-Traveller-Site-Allocations-Development-Plan-Documents)



## **Report to Nuneaton and Bedworth Borough Council**

**by Thomas Hatfield BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Date 18 December 2023

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Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

## **Report on the Examination of the Nuneaton and Bedworth Gypsy and Traveller Site Allocations Development Plan Document 2021-2037**

The Plan was submitted for examination on 29<sup>th</sup> June 2022

The examination hearing was held on 27<sup>th</sup> October 2022

File Ref: PINS/W3710/429/5

## **Abbreviations used in this report**

the Council	Nuneaton and Bedworth Borough Council
DPD	Development Plan Document
GTTSA	Gypsy and Traveller and Travelling Showperson Accommodation Assessment
MM	Main Modification
NPPF	National Planning Policy Framework
PPTS	Planning Policy for Traveller Sites
SAC	Special Area of Conservation



## Non-Technical Summary

This report concludes that the Nuneaton and Bedworth Gypsy and Traveller Site Allocations Development Plan Document ('DPD') 2021-2037 provides an appropriate basis for addressing the accommodation needs of Gypsies and Travellers in the Borough, provided that a number of main modifications ('MMs') are made to it. Nuneaton and Bedworth Borough Council ('the Council') has specifically requested that I recommend any MMs necessary to enable the DPD to be adopted.

Following the hearing, the Council prepared schedules of proposed modifications and carried out sustainability appraisal and habitats regulations assessment of them. The MMs were subject to public consultation over a six-week period. I have recommended their inclusion in the DPD after considering the sustainability appraisal and habitats regulations assessment and all the representations made in response to the consultation on them.

The Main Modifications can be summarised as follows:

- Changes to ensure consistency with the adopted Nuneaton and Bedworth Borough Plan 2011-2031 (2019) and to clarify which policies are superseded;
- Amendments to Policy GT2 for effectiveness and to incorporate criteria from Policy H3 of the adopted Borough Plan (which is to be superseded);
- Additional criteria added to some site-specific policies;
- Some re-wording to improve clarity and effectiveness;
- A number of other modifications to ensure that the DPD is positively prepared, justified, effective and consistent with national policy.

## Introduction

1. This report contains my assessment of the Nuneaton & Bedworth Gypsy and Traveller Site Allocations DPD in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers firstly whether the DPD's preparation has complied with the duty to co-operate. It then considers whether the DPD is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework ('the Framework') (paragraph 35) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. The Nuneaton & Bedworth Gypsy and Traveller Site Allocations DPD, submitted in June 2022 is the basis for my examination. It is the same document as was published for consultation in January 2022.

## Main Modifications

3. In accordance with Section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications ('MMs') necessary to rectify matters that make the DPD unsound and/or not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearing, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal and habitats regulations assessment of them. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.

## Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the changes to the policies map comprise the inset plans beneath policies GT3 and GT4 of the DPD.
6. When the DPD is adopted, in order to comply with the legislation and give effect to its policies, the Council will need to update the adopted policies map to include all the changes proposed in the DPD.



## Context of the Plan

7. The Nuneaton & Bedworth Gypsy and Traveller Site Allocations DPD sets out policies relating to Gypsy and Traveller and Travelling Showpeople proposals, and also allocates sites for these purposes. It is intended to supersede Policy H3, and the third bullet point of Policy DS4, of the adopted Borough Plan. A DPD of this nature is also envisaged in Policy H3 of the Borough Plan.

## Assessment of Duty to Co-operate

8. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council has complied with any duty imposed on it by Section 33A in respect of the DPD's preparation.
9. The DPD focuses on meeting the Borough's own needs and does not rely on neighbouring authorities to assist. Moreover, the Council has not been asked to help meet the needs of any neighbouring local planning authority. In this regard, the DPD is based on a strategy that seeks to meet the needs of the Borough only, which is consistent with the approach taken to Gypsy and Traveller and Travelling Showpeople sites in the adopted Borough Plan.
10. Prior to updating the 2016 Gypsy, Traveller, and Travelling Showperson Accommodation Assessment ('GTTSA'), the Council contacted all adjoining planning authorities to see if there was any interest in jointly commissioning this study. However, no such interest transpired and an update covering just Nuneaton and Bedworth was therefore commissioned. The subsequent 2021 GTTSA update was informed by feedback and input from neighbouring planning authorities as is set out at paragraphs 5.22-5.26 of that document.
11. In preparing the DPD, the Council consulted and actively engaged with neighbouring planning authorities as well as with Warwickshire County Council, who have responsibility for education, highways, transport planning, waste disposal, etc. The County Council also own and manage a Gypsy and Traveller site in the Borough.
12. No local planning authority or other prescribed body claim that the Council has failed to comply with the Duty. The Council has prepared a Duty to Cooperate Statement, and based on what is set out in this document, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the DPD and that the duty to co-operate has therefore been met.

## Public Sector Equality Duty

13. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination, including the allocation of Gypsy and Traveller and Travelling Showpeople sites to meet identified need. The DPD also addresses the need of particular age groups within the travelling community by taking account of issues such as concealed households and future household formation. In addition, the DPD makes an allowance in its requirement for new pitches for those who have ceased to travel due to educational or health needs, or age.

## Assessment of Other Aspects of Legal Compliance

14. The DPD has been prepared in accordance with the Council's Local Development Scheme. Consultation on the DPD and the MMs was carried out in compliance with the Council's Statement of Community Involvement.
15. The Council carried out a sustainability appraisal of the DPD, prepared a report of the findings of the appraisal, and published the report along with the DPD and other submission documents under Regulation 19. The appraisal was updated to assess the main modifications.
16. The Habitats Regulations Assessment Report (December 2021) sets out why an Appropriate Assessment is not necessary. In this regard, it finds that there is a general absence of impact pathways and there are significant distances from the proposed allocations to designated sites. Accordingly, no likely significant effects will result on either Ensor's Pool SAC or the River Mease SAC as a result of the DPD. Such a conclusion was also supported by Natural England. The Habitat Regulations Assessment of the MMs also concluded that they will not lead to likely significant effects on these SACs, either alone or in combination with other plans and projects.
17. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area. It also includes policies designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change. Those policies are contained within the adopted Borough Plan.
18. Regulation 8(5) of The Town and Country Planning (Local Planning) (England) Regulations 2012 requires that where it is intended to supersede another policy in the adopted development plan, this fact must be stated and the superseded policy identified. **MM1, MM3, MM5, MM7, MM9, MM10, MM11, MM16, and MM17** ensure that the DPD complies with this requirement.



## Assessment of Soundness

### Main Issues

19. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearing, I have identified a number of main issues upon which the soundness of the DPD depends. This report deals with these main issues. It does not respond to every point or issue raised by representors, nor does it refer to every policy criterion in the DPD.

### **Issue 1 – Whether the Council’s overall strategy for meeting Gypsy and Traveller and Travelling Showpeople accommodation needs is justified and whether it is consistent with the adopted Borough Plan (2019).**

20. The Strategy set out in the DPD is to fully meet the need for Gypsy and Traveller and Travelling Showpeople sites in the Borough. This is consistent with national planning policy and is a sound approach. In terms of the spatial distribution of sites within the Borough, 2 of the proposed Gypsy and Traveller allocations are intensifications of existing sites, and the third is close to an existing site. These are distributed across the Borough and are generally in more rural locations. The Gypsy and Traveller Site Assessment (2021) indicates that only 1 of these sites was put forward specifically to accommodate family members, and these sites would therefore be capable of meeting the identified need, which will largely arise from household growth and in-migration. No other potential sites were identified through either the Call for Sites, the GTTSAA process, or a review of Council owned sites. In these circumstances, I consider this approach to be sound.
21. The DPD proposes a requirement for the provision of 11 Gypsy and Traveller pitches over the plan period to 2037. This is based on meeting the overall ‘cultural need’ for pitches identified in the updated GTTSAA (2021), which includes need arising from those within the Travelling community who do not meet the Planning Policy for Traveller Sites (‘PPTS’) definition of “gypsies and travellers”. In my view, this assessment is based on robust assumptions, including with regard to migration and need arising from those currently living in bricks and mortar housing. Whilst the GTTSAA states that turnover on an existing Council owned site could meet the identified shortfall in its entirety, there is no guarantee that these pitches will become available at the rate envisaged. Accordingly, the allocation of sites is necessary to ensure that need is met, and the requirement figure in Strategic Policy GT1 is therefore sound.
22. The DPD is intended to sit alongside the adopted Borough Plan and complement it regarding Gypsy and Traveller and Travelling Showpeople site allocations and policy. The submitted DPD proposed a hybrid approach to this whereby DPD Policy GT1 would effectively supersede parts of Borough Plan

Policies H3 and DS4, and DPD Policy GT2 would effectively add criteria to Borough Plan Policy H3. This approach would be confusing and unclear, and modifications are therefore necessary for effectiveness. This is addressed by **MM1, MM3, MM5, MM7, MM9, MM10, MM11, MM16, and MM17**, which ensure that the policies in the DPD will entirely supersede Policy H3 and the third bullet point of Policy DS4 in the adopted Borough Plan.

23. The submitted DPD proposes 2 site allocations that are currently within the Green Belt. In this regard, Policy DS7 of the adopted Borough Plan states that the remaining Green Belt will be protected by restricting development to only that which is considered by national planning policy to be not inappropriate development. It would therefore be inconsistent with the adopted Borough Plan to remove the proposed allocations in the DPD from the Green Belt at this stage. However, the Borough Plan is currently being reviewed, and this matter is therefore capable of being addressed as part of that review. As submitted, the DPD is unclear whether these allocations are proposed to be removed from the Green Belt, and this is remedied by **MM4, MM10, and MM12** which clarify that the allocations remain in the Green Belt. Subject to the MMs identified above, the DPD would be consistent with the adopted Borough Plan except where a DPD policy is intended to supersede an existing policy.
24. In terms of the monitoring arrangements, a number of detailed changes are also necessary for clarity and effectiveness, as is set out in **MM2 and MM15**.
25. Subject to the abovementioned MMs, the Council's overall strategy for meeting G&T accommodation needs is justified and consistent with the adopted Borough Plan.

## **Issue 2 – whether the proposed site allocations are justified and whether the DPD identifies a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against the requirement.**

26. DPD Policy GT3 identifies 3 proposed site allocations for Gypsy and Traveller pitches. Sites GTSA1 and GTSA3 are intensification opportunities to existing consented sites that were identified in the GTTSAA. Both are currently under-utilised and are capable of accommodating additional pitches within the existing site boundary. The availability, capacity, and intension of the landowner to pursue intensification, were established through the GTTSAA, and I consider these assumptions to be robust.
27. With regard to site GTSA2, this is a mostly open site that does not currently contain any Gypsy and Traveller pitches. It is located on the B4109 and relates well to the existing pattern of development along the road. It is not subject to any other over-riding constraint. The site was put forward as a potential



allocation through the GTTSAA and its availability and capacity have been agreed with the landowner.

28. I consider each of the 3 site allocations identified under Policy GT3 to be suitable locations for Gypsy and Traveller pitches. Notwithstanding this, additional policy criteria for each of the allocated sites are necessary for effectiveness and to address soundness issues. These criteria relate to drainage, contamination, children's play provision, air quality and noise, which are addressed in **MM13**. Given the evidence regarding availability and landowner intentions to develop these sites, I also consider them to be deliverable. In addition, a windfall site for 3 additional pitches was approved in June 2022, and taken together, these sites will provide a 5-year supply on adoption of the DPD.
29. Separately, Policy GT4 safeguards the existing Travelling Showpeople site at Spinney Lane/Whittleford Road, Nuneaton for use by Travelling Showpeople. This is consistent with the recommendations of the GTTSAA and is a sound approach. However, several detailed changes to the policy wording are necessary for effectiveness, which is addressed in **MM14**.
30. In terms of transit provision, the GTTSAA recommended that the Council make use of negotiated stopping arrangements. In this regard, the Council has already made use of negotiated stopping in the Borough and has developed a standard agreement that both it and the Gypsies and Travellers in question sign in such circumstances. This includes the condition the site will be left in, the services that will be provided to it (refuse collection, portable toilets, etc), and includes a financial bond. The Council intends to roll out this approach going forward. In light of the evidence before me, including that given at the hearing session, I am satisfied that this is a sensible approach to transit provision and that the DPD is therefore sound in the absence of allocating sites for this purpose.
31. Subject to the abovementioned MMs, the proposed site allocations are justified and I consider that the DPD identifies a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against the requirement.

### **Issue 3 – Whether the proposed criteria-based policy is necessary, justified, effective, and consistent with national policy.**

32. A criteria-based policy is necessary to ensure that the DPD is positively prepared, flexible, and to provide a basis for determining planning applications on Gypsy and Traveller sites not allocated in the DPD. In this regard, submitted Policy GT2 set out additional criteria that would have effectively supplemented adopted Policy H3 of the Borough Plan. For the reasons set out above, Policy GT2 should entirely supersede adopted Policy H3. Modifications are therefore

necessary to incorporate most of the criteria from adopted Policy H3 into Policy GT2, which is addressed in **MM10**.

33. As submitted, Policy GT2 sought to direct windfall Gypsy and Traveller pitches firstly to intensification opportunities on existing sites, then to extensions to existing sites, followed by sites within 1.6 km of services and facilities. However, it is not clear how this approach would have worked in practice, including how it could be demonstrated that expansion opportunities had been exhausted. Such an approach would also have excluded sites within the urban area from consideration until intensification and expansion opportunities had been ruled out. Moreover, it contained no reference to the proposed site allocations. Accordingly, further modifications in **MM6**, **MM8**, and **MM10** are necessary for effectiveness and to highlight those site types where new pitches / plots will be permitted, subject to compliance with other local and national policies.
34. Subject to the abovementioned MMs, I consider that the proposed criteria-based policy is necessary, justified, effective, and consistent with national policy.

## Overall Conclusion and Recommendation

35. The DPD has a number of deficiencies in respect of soundness, for the reasons set out above, which mean that I recommend non-adoption of it as submitted in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.
36. The Council has requested that I recommend MMs to make the DPD sound and capable of adoption. I conclude that the duty to cooperate has been met, and that with the recommended main modifications set out in the Appendix, the Gypsy and Traveller Site Allocations Development Plan Document satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

*Thomas Hatfield*

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.



# Gypsy and Traveller Site Allocations DPD

2021 - 2037



Nuneaton and Bedworth Borough Council

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## 1.0 Introduction

- 1.1 Nuneaton and Bedworth Borough Council adopted a Borough Plan on 11<sup>th</sup> June 2019 which planned for new development in the borough until 2031. The Borough Plan plans, principally, for new commercial, employment, and residential uses. In terms of residential uses the Borough Plan must plan for all parts of the community and thus deals with provision for Gypsies and other Travellers.
- 1.2 Policies DS4 – Overall development needs and H3 – Gypsies and Travellers set out the need for new pitches by 2031/2032 to be at least 39 residential and 5 transit pitches. Policy H3 does not set out where the new pitches would be provided but sets out the criteria that will be used to identify potential locations for residential and permanent pitches through the Gypsy and Traveller Site Allocations Development Plan Document (DPD). It is through this DPD that land is identified and allocated for future traveller sites. Policy H3 of the current adopted Borough Plan (2011-2031) is superseded entirely by the DPD and in the emerging Borough Plan Policy H3 will purely refer to the DPD for Policies relating to **Gypsy, Travellers and Showperson pitches and plots**.
- 1.3 The current Local Development Scheme (2020) sets out the timetable for the production of Gypsy and Traveller Site Allocations DPD which is as follows:
- May 2021 – consultation on an Issues and Options document;
  - January 2022 – consultation on a publication document;
  - July 2022 – submission of the document to the Secretary of State;
  - January 2023 – receipt of Inspector’s report on the examination of the document; and
  - February 2023 – adoption of the document.
- 1.4 This adopted DPD was preceded by-the Publication version of the Gypsy and Traveller Site Allocations DPD; which was the formal document required by Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012. This was consulted on between 28<sup>th</sup> January 2022 and 25<sup>th</sup> March 2022. A consultation on the previous version of the Gypsy and Traveller Site Allocations DPD, the Issues and Options consultation draft, took place between 11<sup>th</sup> June 2021 and 6<sup>th</sup> August 2021. This document was that required by Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012. A consultation statement has been produced which sets out the responses received and how they were considered in producing the DPD.
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- 1.5 The document is set out in four subsequent chapters addressing the vision and objectives of the DPD, followed by the need for new pitches, the locations of these new pitches and a monitoring schedule for the DPD.
- 1.6 To support this document the Council has commissioned a consultant to produce a new Gypsy, Traveller, and Travelling Showpersons Accommodation Assessment (GTAA) and this can be viewed alongside this document. The most recent study prior to this new GTAA dates from 2016 and it concluded that the evidence base is refreshed on a five-yearly basis to ensure that the level of pitch and pitch provision remains appropriate. The DPD is also supported by a 'Site Assessments and the Green Belt' document, a Sustainability Appraisal Report, and an Appropriate Assessment, the contents of which have been considered in the production of this DPD. All supporting documents can be seen on the Borough Council's website alongside this DPD as part of the formal consultation.



## 2.0 Vision & Objectives

### Vision

- 2.1 The vision was contained within the Issues and Options consultation draft of the DPD. Since that document the vision has been amended so that reference to the environment is made thereby linking the vision more to objective 3.
- 2.2 The vision for this DPD is for the needs of the travelling community in and visiting the borough to be provided with sufficient pitches so that they can live, work, and rest in the borough. Pitches will be well located and integrated into the environment and the local community thereby providing good access to essential services.

### Objectives

- 2.3 The following objectives will help achieve the vision for the DPD. Three objectives were consulted upon and although no issues were raised by consultation responses on the content of the objectives, objective 3 has been amended. The intent of the objective remains the same, but the terminology has been changed so that it aligns better with the language used in the adopted Borough Plan.

Objective 1 - to provide sufficient pitches for the needs of the travelling community.

Objective 2 - to provide provision in sustainable locations with good access to local services.

Objective 3 - to provide provision in such a way that the local environment is protected and, where appropriate, enhanced.

These objectives are interrelated and in combination they will contribute to realising the vision for the DPD.

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## 3.0 Need

### Introduction

- 3.1 The evidence base that supported the formation of the need for new pitches in the Borough Plan was the 2016 Gypsy, Traveller, and Travelling Showpersons Accommodation Assessment (GTAA). Since the 2016 GTAA was produced the 2016 Housing and Planning Act introduced the need to conduct a wider assessment of all caravan and houseboat accommodation needs, not just those from Gypsy and Traveller ethnicities. A new assessment of accommodation needs has been produced, dated from 2021. This assessment updates the need for new pitches to those published in the Borough Plan and addresses the implications of the 2016 Housing and Planning Act.
- 3.2 The Issues and Options consultation proposed four options for the number of pitches to provide ranging from that in the 2021 GTAA through to figures above those in the GTAA from 2016 (and published in the Borough Plan). After careful consideration it is considered that the figures from the 2021 GTAA should be used as the basis for the need. Even though representations on the DPD were low, the newer figures were clearly preferred over those that were now nearly six years old by respondents. Not only are these figures more recent, but the interview rate was also much higher giving greater confidence that the assessment of need is more robust and closer to that actually required. These four options were assessed in the accompanying sustainability appraisal to the issues and options document and these four options all came out the same, partly because all reasonable options considered would achieve the number of pitches set in the 2021 GTAA as a minimum (which is the most recent data source) but also because there were many unknowns of the likely impacts that would result from these different sets of figures for new pitch numbers.
- 3.3 Using the requirement for new pitches from the 2021 GTAA as a minimum rather than the higher figures in the extant Borough Plan means that this document will need to supersede the requirements for new pitches set out in Policies DS4 and H3 of the Borough Plan.

### Gypsies and Travellers

- 3.4 The first part of the 2021 GTAA was to assess the current occupancy of pitches within the borough, then to assess how much capacity remains above this, so, how many pitches are unoccupied but are available, followed by calculating how many more pitches are needed to fulfil the need for new pitches within the borough. The new GTAA advises that with the current



occupied and vacant pitches within the borough there is a need for 16 additional residential and no transit pitches to meet the needs of those who meet the definition of travellers as set out in the Planning Policy for Traveller Sites, August 2015; this increases by four to a total of 20 additional residential pitches to meet a cultural need (that is, people who do not meet the definition of a traveller but nevertheless live on pitches). For travellers, this is change of 23 residential pitches and 5 transit pitches from those figures published in the Borough Plan (both decreasing). Table 1 below repeats the figures from Table 6.3 of the 2021 GTAA in which the need for new pitches is set out.

Table 1 - Plan period Gypsy and Traveller pitch need 2021/22 to 2036/37.

Time period	Cultural need	Of which: PPTS need
5yr Authorised Pitch Shortfall (2021/22 to 2025/26) (A)	8	6
Longer-term need		
<i>Over period 2026/7 to 2030/31 (B)</i>	4	3
<i>Over period 2031/32 to 2036/37(C)</i>	8	7
<i>Longer-term need TOTAL to 2036/37 (12 years) D=(B+C)</i>	12	10
NET SHORTFALL 2021/22 to 2036/37 (A+D) (11 years)	20	16

PPTS = Planning Policy for Traveller Sites (2015) within which the definition of Gypsies and Travellers is provided.

- 3.5 The 2021 GTAA assumes that some of this provision for additional pitches can be found through turnover on the site at The Griff and by a combination of intensification and expansion of three existing sites to provide 11 pitches. Table 2 below repeats the figures from Table 6.4 of the 2021 GTAA which sets out these assumptions. Thus, the table shows that through the provision of 11 new additional pitches the need up to 2036/37 is met is and, therefore, this meets the need evidenced in the 2021 GTAA.

Table 2 - Addressing Gypsy and Traveller pitch need.

Time period	Cultural need	Of which: PPTS need
5yr Authorised Pitch Shortfall (2021/22 to 2025/26) (A)	8	6

Anticipated minimum turnover on council site (B)	7	7
Potential intensification/expansion of existing sites (C)	6	6
Residual need 2021/22 to 2025/26 after turnover and potential intensification/expansion (D) = A-B-C	-5 Need met	-7 Need met
Longer-term need 2026/27 to 2036/37 (E)	12	10
Anticipated minimum turnover on council site (F)	15	15
Potential intensification/expansion of existing sites (G)	5	5
Residual need 2025/26 to 2036/37 after turnover (H) = E-F-G	-8 Need met	-10 Need met
Residual need 2021/22 to 2036/37 after turnover and potential pitch development considered (I) = D+H	-13 Need Met	-17 Need met
Summary	Cultural need	Of which: PPTS NEED
Plan period Authorised Pitch Shortfall (2021/22 to 2036/37) (J = A+E)	20	16
Anticipated minimum turnover on council site (K) = B+F	22	22
Potential intensification/expansion of existing sites (L)=C+G	11	11
Residual need 2021/22 to 2036/37 after turnover (M=J-K-L)	-13 Need met	-17 Need met

- 3.6 Although turnover has been considered and has the potential to meet need based on past trends, this cannot be wholly relied upon as the future level of turnover at The Griff is not guaranteed. Instead, turnover is one element of supply but there remains a need to take positive steps to increase the number of pitches available to households across the borough to meet the needs identified and to plan positively for the area. This is particularly important for the Council to achieve a 5-year land supply of new pitches. So, turnover can be relied upon to meet some of the forecast need but not to the exclusion of allocating new pitches. The GTAA of 2021 identified 11 pitches that could be found in the Borough and this should be used to form



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the basis of the minimum new pitches to provide, the remainder will be met by turnover.

### Travelling Showpeople

- 3.7 The GTAA from 2021 states that there is 1 occupied and 3 vacant pitches in the Borough for use by Travelling Showpeople. The 2016 GTAA set out that there were 4 private owned pitches, and plots on site/yards of which 4 were occupied and 0 were vacant. Therefore, plot numbers have remained the same but vacant plot numbers have increased. No additional provision is recommended by the current GTAA.

### Bargee Travellers

- 3.8 In the 2016 GTAA bargee Travellers were accounted for by one family present in the borough. No change to bargee Traveller numbers are contained within the updated GTAA.

### Future Need

- 3.9 In the 2021 GTAA it is recommended that the *"...evidence base is refreshed on a 5-yearly basis to ensure that the level of pitch and pitch provision remains appropriate for the Gypsy, Traveller and Travelling Showpeople population across Nuneaton and Bedworth."* This is an important element of confirming that the need in this DPD remains as required. It is therefore the Council's intention that the number of new pitches will be assessed each year at the Authority Monitoring Report (AMR) stage and landowners contacted to encourage the sites to come forwards. The DPD will be reviewed five years after adoption and subsequently five years thereafter on an ongoing basis, to ensure the document meets the current needs. The update of the GTAA is referenced in Table 3 of Chapter 5.0 on Monitoring of this document. Should need be found to have changed beyond that set out in this DPD (or indeed for another reason such as undeliverability of a site or sites) then this should trigger a review of this DPD.

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## Strategic Policy GT1 – Overall Need

The following levels of development will be planned for and provided within Nuneaton and Bedworth Borough between 2021 and 2037:

- At least 6 permanent residential pitches to accommodate Gypsies and Travellers by 2025 and
- At least a further 5 permanent residential pitches beyond those required by 2025 so that, in total, at least 11 permanent residential pitches to accommodate Gypsies and Travellers by 2037.

This Policy supersedes the third bullet point of DS4 of the adopted Borough Plan (2011-31).



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## 4.0 Location of Pitches

### Green Belt

- 4.1 Two of the sites to receive new pitches are within the Green Belt, namely Sunrise Cottage and The Old Nursery. Nuneaton and Bedworth Borough sits within the wider West Midlands Green Belt and Green Belt forms a large part of the borough. The Green Belt is mostly located to the south of Nuneaton, but also surrounds the main areas of Bedworth, Bulkington, and Ash Green. Nationally, the government attaches great importance to the Green Belt. The five key purposes of Green Belts are:
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another;
  - to assist in safeguarding the countryside from encroachment;
  - to preserve the setting and special character of historic towns; and
  - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 4.2 Alterations to the Green Belt boundary are only approved in exceptional circumstances and must be done during the local plan making process. In reviewing land to be released from the Green Belt for development, the exceptional circumstances should be weighed up against any potential adverse effects on the overall integrity of the Green Belt, according to an assessment of the whole of the Green Belt based around the five purposes set out above. Traveller sites are inappropriate development in the Green Belt. Furthermore, subject to the best interests of the child, personal circumstances, and unmet need Traveller sites in the Green Belt are unlikely to clearly outweigh harm to the Green Belt.
- 4.3 Sunrise Cottage and The Old Nursery are not currently being considered for the removal of their Green Belt status. The removal of the two sites from the Green Belt would not be consistent with Policy DS7 of the current Borough Plan (and would be noncompliant with Regulation 8(4) of the 2012 Regulations) which is the Part 1 plan. Notwithstanding this, the Borough Plan is currently being reviewed and the Green Belt status of these two sites may be revisited, if necessary, when the Borough Plan is updated as part of a wider review of the Green Belt. However, the Site Assessments and the Green Belt document explains how the Green Belt sites may be considered suitable for development subject to meeting national policy for the Green Belt.
- 4.4 If future planning applications on these sites are considered to be inappropriate development in the Green Belt, then it would be necessary to demonstrate 'very special circumstances' in accordance with the
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Framework. In this regard, the allocation of these sites for new Gypsy and Traveller pitches in this DPD will be an important consideration in any such assessment.

### Sustainability

- 4.5 Beyond the issue of the Green Belt, which is a significant matter, there are other factors that may need consideration for the locating of new Gypsy and Traveller pitches. Sites should have reasonable access to services, such as shops, schools, GP surgeries, and pharmacies, and this access should be capable of being done by modes of transport other than private car. Walking is the easiest and cheapest way to access services and thus is the focus for accessibility. However, many of the current sites are limited by their options for modes of travel.
- 4.6 Sites should also avoid locations that would impact upon land that has been designated for its interest, so, sites of ecological, heritage, or geological value. Similarly, contaminated land, land prone to flooding, and land in a sensitive landscape should also be avoided. These and other criteria for selecting new Gypsy and Traveller sites are set out in Policy GT2 – Strategy.

### Locational Strategy

- 4.7 The fundamental purpose of the Gypsy and Traveller Site Allocations DPD is to allocate land to provide for the number of pitches identified for the required need to 2037. The Issues and Options consultation draft proposed four strategies for allocating new pitches. These were all assessed within the accompanying sustainability appraisal and two of the options were found to be the most sustainable, namely the following:
- A. Seek to allocate new pitches firstly within the permitted area of existing sites and/or adjacent to these sites, then based on walking distances to services, and then by existing Policy H3.
  - D. Seek to allocate new pitches firstly within the permitted site area of existing sites, then adjacent to these existing pitches, then based on the criteria set out in the latter part of the policy.
- 4.8 Respondents to the issues and options selected only options A and D – with an even split of numbers to these two options from respondents. Options A and D – the first difference is that option A uses extant Policy H3 to assess sites at the outset whilst option D only uses extant Policy H3 once insufficient sites have been found via other means. The second difference is that option D separates out the permitted areas of existing sites from land adjacent to existing sites whereas option A does not and treats them together. It is considered that option D should form the basis of the

allocation of new pitches as it allows for the consideration of the permitted site area of existing sites first (and in isolation) and this has the potential for the least impact. However, in hindsight, the use of the word 'adjacent' could give rise to some ambiguity and the word 'adjoining' will be used instead to emphasise that there should be a physical relationship between the new and the existing. It should be noted that should planning applications be made for new pitches on unallocated sites then the strategic policy in this DPD would be used as the starting point to assess their suitability.

- 4.9 Policy GT2 identifies that new Gypsy and Traveller pitches will generally be supported within the sites allocated within GT3 or within the permitted area of existing lawful, authorised Gypsy and Traveller sites. In addition, to ensure that consideration is given to sustainability, any new sites that come forwards within the urban area (as shown within the settlement boundary of Policy DS2 of the Borough Plan). In addition, land adjoining the permitted area of existing lawful, authorised Gypsy and Traveller sites will be considered as long as these are in proportion appropriate to the scale of the existing site. The intention is to supersede entirely Policy H3 in the current adopted Plan (2011 – 2031). Within the emerging Borough Plan (2024 – 2039) emerging Policy H3 will simply signpost to the adopted DPD for guidance on any new pitches or plots.

### Strategic Policy GT2 – Strategy

Planning permission will be granted for new Gypsy and Traveller pitches subject to compliance with other policies of the development plan and with national policy, including in relation to Green Belt, on the following land:

- a) Sites allocated in Policy GT3 or within the permitted area of existing lawful, authorised Gypsy and Traveller sites;
- b) Sites within the urban area (as shown within the settlement boundary of Policy DS2 of the Borough Plan);
- c) Extensions adjoining the permitted area of existing lawful, authorised Gypsy and Traveller sites that are proportionate in scale to the existing site.

Any proposed sites considered must comply with all of the following:

- a) The site should have reasonable access to essential services including health and education facilities and access to local shops;
- b) The number of pitches or plots is in proportion to the size and scale of the site;
- c) The number of pitches or plots is in proportion to the size and density of the nearest settled community;
- d) The site is not located in areas of high flood risk;



- e) The site avoids adverse impact on historic and important open spaces, landscape or local nature conservation designations, ecology and biodiversity assets;
- f) The site is located where the privacy, visual and residential amenity for both site residents and neighbouring land uses are protected;
- g) The site has suitable access to the highway network;
- h) The site is located where air or noise pollution will not significantly affect the health and well-being of site residents; and
- i) The site has suitable connection to the foul sewage system or can demonstrate that connection is unviable and alternative arrangements can be made.

This Policy supersedes Policy H3 of the adopted Borough Plan (2011-31).

- 4.10 Where alternative methods for foul water treatment such as septic tanks or cesspits are required; consent will be required from the Environment Agency for an Environmental Permit (Regulations 2016). This is to enable the discharge of polluting substances (including sewage effluent) into surface waters or the ground. It is the Applicants responsibility to make the appropriate enquiries regarding any Environmental Permit requirements. (Environmental Permitting Guidance can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>)

#### Allocation of Sites

- 4.11 Using the strategy above as the basis for allocating new pitches, the starting point is within existing sites. The 2021 GTAA identified two privately owned sites within the Borough which had the potential to accommodate new additional pitches within their existing approved extent. These are Winter Oak, Watling Street, Nuneaton and Sunrise Cottage, Mile Tree Lane, Bulkington. The GTAA indicated that these could accommodate up to 11 additional pitches. These have been independently assessed and it was concluded that they could accommodate 9 additional pitches without detriment to the existing occupiers. The sites have also been assessed by the Council, with input from key technical stakeholders, and there are no outright technical reasons why this form of development would be unacceptable in these locations (this can be viewed in the 'Site Assessments and the Green Belt' document).
- 4.12 The 2021 GTAA also identified another site that had the potential to accommodate new pitches through the physical expansion of the site. This was the privately owned site at Fella's Acre, Mile Tree Lane, Bulkington which it was considered could accommodate an additional two pitches. This was also independently assessed and following this the site was deemed to be unsuitable for expansion – mainly relating to deliverability. However, the

landowner expressed an interest in developing another site for new pitches, namely The Old Nursery, Parrotts Grove, Coventry. This has been independently assessed and it was concluded that the site could be developed to provide five to six new pitches. The site has also been assessed by the Council, with input from key technical stakeholders, and there are no outright technical reasons why this form of development would be unacceptable in this location.

- 4.13 The number of pitches provided by the three sites found acceptable for allocation would provide 14-15 pitches which would, firstly, meet the minimum 11 pitches required and, secondly, build in some resilience should the anticipated levels of turnover at The Griff not take place.
- 4.14 To support the production of this document the Council ran a call for sites between 17<sup>th</sup> September 2021 and 22<sup>nd</sup> October 2021 which included Gypsy and Traveller sites. No sites were put forward for this type of use as a result of this call for sites. Therefore, the three assessed independently for the Council remain the only sites for consideration.
- 4.15 Further to the independent assessment and the Council's 'Site Assessments and the Green Belt' document the sites (and the policies) were assessed in the Sustainability Appraisal Report and the Habitats Regulations Assessment. This latter document is a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The Habitats Regulations Assessment concludes that due to the location of the allocated sites and the general absence of realistic linking impact pathways that there would be no likely significant effects on either Ensor's Pool Special Area of Conservation (SAC) or the River Mease SAC either alone or in combination.
- 4.16 The need for new Gypsy and Traveller pitches set out in Strategic Policy GT1 – Overall Need is for at least 11 permanent residential pitches to accommodate Gypsies and Travellers. The sites that have been found acceptable to allocate would provide up to 15 pitches at three locations and these are set out in Policy GT3 – Site Allocations. Below the policy an accompanying plan is provided showing the area to which the allocation relates.
- 4.17 As a result of the assessments of the sites a number of matters are considered important for any subsequent planning application to address, and these have been set out as key development requirements in the relevant policy. The basis of these principles are the responses received

during the informal consultation with key technical stakeholders on the three sites (the details of which can be viewed in the supporting 'Site Assessments and the Green Belt' document) and analysis of the site's context.

- 4.18 It is considered that to make additional use of the accesses at The Old Nursery and Sunrise Cottage sites some key development principles are required to ensure the use of the access is safe. Related to this is a requirement to ensure any new layout encompasses suitable bin storage to ensure these do not end up being stored outside the site. The sites have been assessed against the Wildlife Assessment Check tool as advised by the Open Spaces and Green Infrastructure SPD and in all cases a Preliminary Ecological Assessment is required to ascertain if further ecological survey work is required. The sites of Winter Oak and The Old Nursery both have boundary hedgerows and these help in reducing the site's impact on the local landscape and, thus, any development of the site should not result in these being affected.
- 4.19 The 'Designing Gypsy and Traveller sites: good practice guide' of 2008, although withdrawn on 1<sup>st</sup> September 2015 and replaced by the 'Planning policy for Traveller sites' document remains a useful guide setting out broad principles to consider in Traveller and Gypsy sites. With regard to communal recreation areas for children the good practice guide set out that it is considered that such areas should be provided where suitable provision is not available within walking distance on a safe route or using easily accessible public transport.
- 4.20 The independent assessment of the sites highlighted that the site at Sunrise Cottage already had provision of a small play area within the site. The Winter Oak site does not but on the other side of the A5 land is being developed for residential uses (reference 034076) which includes a play area, and this would be accessible nearby and thus provision within the site is not considered essential. However, the new site at The Old Nursery has no obvious communal play area in proximity to it and, thus, should be provided within the site – the independent assessment set out that there was sufficient space to accommodate it.
- 4.21 The matter of flooding is not addressed because at this time it is not considered to be relevant as sites are in flood zone 1 and there is no indication that they suffer inundation. However, climate change means that this could change and should this be the case then extant Policy NE4 – Managing flood risk and water quality (Borough Plan) would be used.



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## Policy GT3 – Site Allocations

Planning permission will be granted for new Gypsy and Traveller pitches at the following sites and as denoted with a solid red line on the accompanying site plans:

GTSA1 – Sunrise Cottage for three additional pitches within the existing site as shown as a solid red line on the accompanying plan.

GTSA2 – The Old Nursery for five to six new pitches within the site as shown as a solid red line on the accompanying plan.

GTSA3 - Winter Oak for six additional pitches within the existing site as shown as a solid red line on the accompanying plan.

### Key Development Requirements

Planning applications at the allocated sites shall contain the details as set out below:

#### GTSA1 – Sunrise Cottage

- Provision of visibility splays of 160 metres.
- Suitable bin collection points should be provided within the site so that bins are not stored within the highway.
- Preliminary Ecological Assessment.
- Where possible foul sewage for new pitches/plots should connect to existing foul mains drainage. Where connection to mains drainage is not possible, the potential impact on the water environment will need to be considered.

#### GTSA2 – The Old Nursery

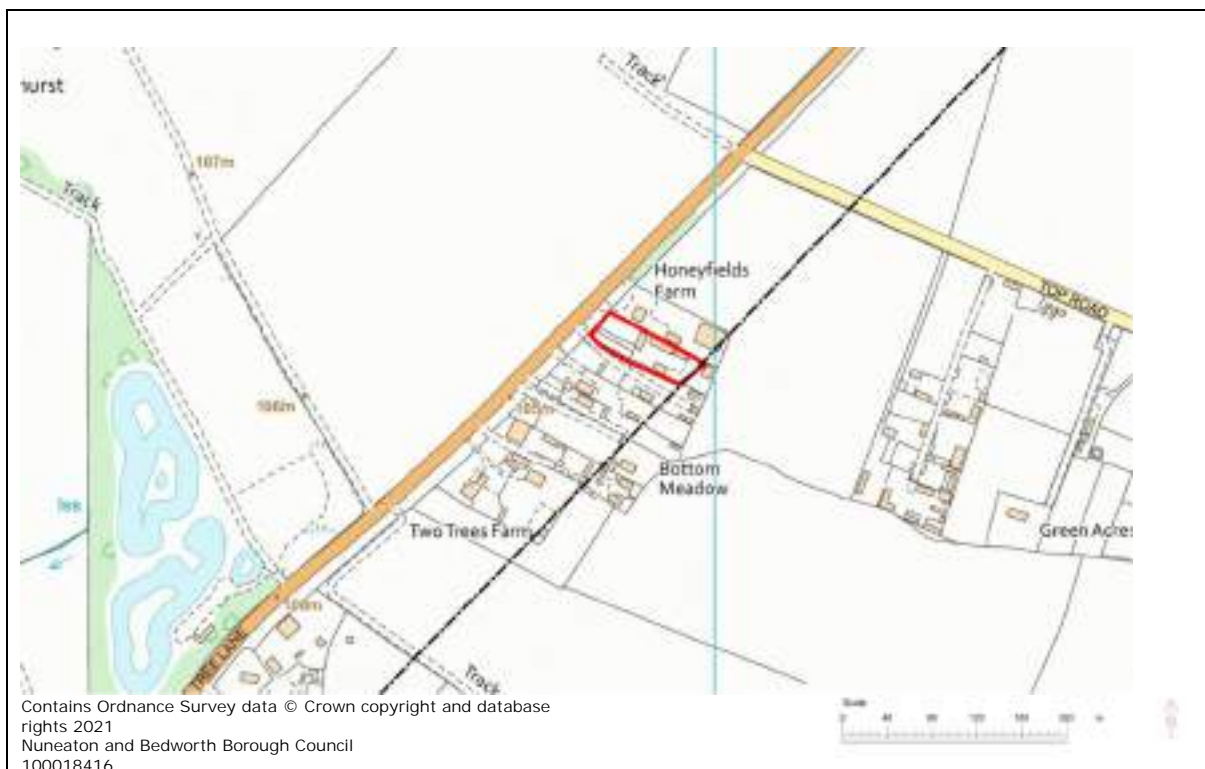
- Closure of the northern access within the site.
- Access to be made in and out of the site from the southern access within the site.
- Configuration of an access that allows for sufficient manoeuvring room for any vehicles entering/exiting the site.
- Any gates within the access to be setback sufficient distance to allow any vehicle entering the site to exit the highway completely whilst the gates are opened or closed.
- Provision of visibility splays of 160 metres.
- Suitable bin collection points should be provided within the site so that bins are not stored within the highway.
- Landscaping of the site boundary to soften the appearance of the pitches from external views.

- Preliminary Ecological Assessment.
- Retention of existing boundary vegetation.
- Provision of communal play area within the site.
- Address any contamination on the site.
- Where possible foul sewage for new pitches/plots should connect to existing foul mains drainage. Where connection to mains drainage is not possible, the potential impact on the water environment will need to be considered.

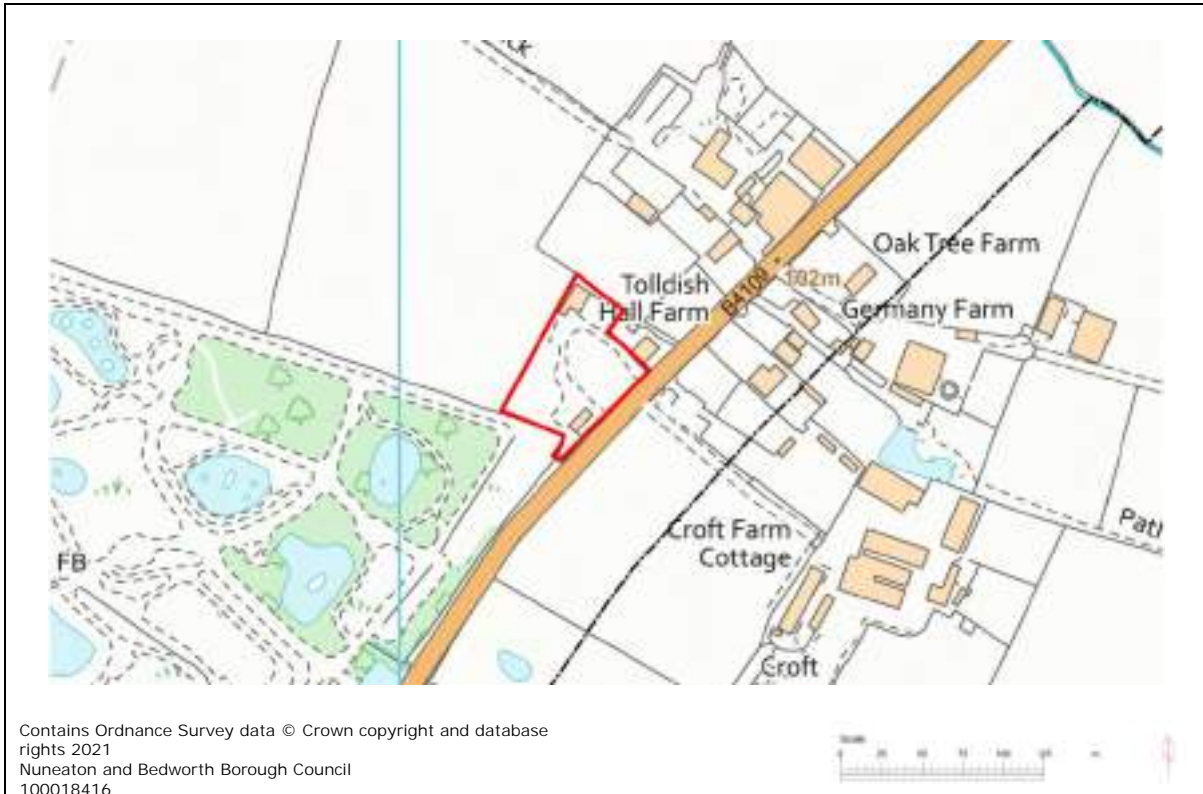
GTSA3 – Winter Oak

- Suitable bin collection points should be provided within the site so that bins are not stored within the highway.
- Preliminary Ecological Assessment.
- Retention of existing boundary vegetation.
- Provision of communal play area within the site.
- Ensure air and noise quality to future residents of the site is acceptable.
- Where possible foul sewage for new pitches/plots should connect to existing foul mains drainage. Where connection to mains drainage is not possible, the potential impact on the water quality will need to be considered.

GTSA1 – Sunrise Cottage



GTSA2 – The Old Nursery





## GTSA3 – Winter Oak



- 4.22 For site GTSA3 – Winter Oak, it is suggested that prior to any submission of a planning application, that the Applicant contacts National Highways to discuss the access and the information they may require to be submitted for any formal submission. In addition, for this particular site, an Air Quality Exposure Assessment and Noise Assessment may be required to determine any formal planning application to inform of any mitigation required.

## Policy GT4 – Site Safeguarding

The Travelling Showpeople site at Spinney Lane/Whittleford Road, Nuneaton as denoted on plan GTSA4 with a solid red line will be safeguarded for use by Travelling Showpeople.

Alternative uses will only be permitted if it is clearly demonstrated that the site is no longer required for Travelling Showpeople accommodation.

## GTSA4 – Spinney Lane/Whittleford Road, Nuneaton



- 4.23 As well as the allocation of sites for new Gypsy and Traveller pitches the Council has considered the ongoing need for a Travelling Showperson's yard within the Borough, currently at Spinney Lane/Whittleford Road, Nuneaton. This is the only such type of accommodation in Warwickshire and thus has considerable importance to the County as an asset and also by ensuring continuity and availability of these plots within the Borough it contributes towards provision. The issues and options consultation document proposed the safeguarding of the site for its current use given its special status in the County. Comments were sparse on this matter, but no responses were received stating that safeguarding of this site for this purpose was

incompatible with surrounding land uses or unacceptable. The Habitats Regulations Report and the Sustainability Appraisal Report both conclude that there would be no significant adverse impacts from the identified land continuing to be used for its current use.



## 5.0 Monitoring

- 5.1 The Council produces annually an Authority Monitoring Report (AMR). Within the AMR the performance of the policies in the Borough Plan are reported as well as those in other DPDs (Development Plan Documents). Therefore, the AMR will need to report on the policies of the performance of this DPD once it has been adopted. Table 3 below sets out the indicators and targets that will be used to monitor the policies of this DPD.

Table 3 - Monitoring indicators and targets for the policies of the Gypsy and Traveller Site Allocations Development Plan Document (DPD).

Policy	Indicator	Target
Strategic Policy GT1 – Overall Need	Monitor the continued need for additional pitches.	Within five years of adoption of this DPD undertake a new Gypsy, Traveller, and Showpeople Accommodation Assessment.
Strategic Policy GT2 – Strategy	Sites permitted in accordance with the criteria mentioned in policy GT2.	100%. Timescales as below.
Policy GT3 – Site Allocations	Monitor the supply and delivery of allocated sites and report annually through the Authority Monitoring Report. Contact the proposed sites on a yearly basis after the AMR to encourage the sites to come forwards and answer any concerns the owners may have on bringing the sites forwards at that time.	A minimum of six additional residential pitches permitted and available for use by 2025 and a minimum of 11 additional residential pitches permitted and available by 2037.
Policy GT4 – Site Safeguarding	Monitor the use of the safeguarded site.	The identified site at Spinney Lane/Whittleford Road, Nuneaton to remain used for Travelling Showpeople unless it is clearly demonstrated that the site is no longer required for Travelling Showpeople accommodation.

## Appendix 1

Relationship between the policies in this DPD and the extant Borough Plan.

Existing Borough Plan policies	Effect of Gypsy and Traveller Site Allocations DPD policies
Policy DS4 – Overall development needs (third bullet point only).	Superseded by Strategic Policy GT1 – Overall Need.
Policy H3 – Gypsies and Travellers.	Superseded by Strategic Policy GT2– Strategy.

For reference Policy DS4 Overall development needs should now read:

*The following levels of housing and employment development will be planned for and provided within Nuneaton and Bedworth Borough between 2011 and 2031:*

- *At least 14,060 homes*
- *At least 107.8 ha of employment land*
- ~~*At least 39 residential pitches and 5 transit pitches to accommodate Gypsies and Travellers*~~

# **Nuneaton & Bedworth Gypsy and Traveller Site Allocations DPD**

**Inspector: Thomas Hatfield BA (Hons) MA MRTPI**

**Programme Officer: Helen Wilson**

**Reference: PINS/W3710/429/5**

## **CD 6.2 - Schedule of Main Modifications**

(Further Additional Modifications are provided in CD 6.3).

**June 2023**



This document (CD 6.2) provides details of the Main Modifications that are recommended by the Inspector to make the DPD sound and legally compliant.

The Additional Modifications found in the separate document (CD 6.3) are those which do not materially affect the Policies in the DPD, but which are generally minor factual updates; corrections of any errors or which are considered necessary for clarity.

Main Modification Reference	DPD Sub Section/ Paragraph/Policy box/table/Page number of amended DPD	Proposed Main Modification. (New words added in bold and underlined. Deletions stricken through.)	Reasons for modification
MM1	'1.0 Introduction'/ Paragraph1.2/ Page 1	Alter minor wording and add text at end of paragraph to read: "1.2 Policies DS4 – Overall development needs and H3 – Gypsies and Travellers set out the need for new pitches by 2031/2032 to be at least 39 residential and 5 transit pitches. Policy H3 does not set out where the new pitches would be provided but sets out the criteria that will be used to identify potential locations for residential and permanent pitches through the Gypsy and Traveller Site Allocations Development Plan Document (DPD). It is through this DPD that land <u>is</u> identified and allocated for future traveller sites. <b><u>Policy H3 of the current adopted Borough Plan (2011-2031) is superseded entirely by the DPD and in the emerging Borough Plan Policy H3 will purely refer to the DPD for Policies relating to Gypsy, Travellers and Showperson pitches and plots.</u></b> "	To make clear that Policy H3 of the current adopted Borough Plan (2011-2031) is superseded by the Gypsy and Traveller Site Allocations DPD. To state that Policy H3 of the emerging Borough Plan will be amended purely to refer to Policies within the Gypsy and Traveller Site Allocations DPD.
MM2	'3.0 Need/Future Need'/ Paragraph 3.9/ Page 7	Add text within paragraph to read: "3.9 In the 2021 GTAA it is recommended that the <i>"...evidence base is refreshed on a 5-yearly basis to ensure that the level of pitch and pitch provision remains appropriate for the Gypsy, Traveller and Travelling Showpeople population across Nuneaton and Bedworth."</i> This is an important element of confirming that the need in this DPD remains as required. <b><u>It is therefore the Council's intention that the number of new pitches will be assessed each year at the Authority</u></b>	To clearly set out what will be carried out at the AMR stage in order to encourage sites coming forwards and when the DPD will be reviewed.

		<p><b><u>Monitoring Report (AMR) stage and landowners contacted to encourage the sites to come forwards. The DPD will be reviewed five years after adoption and subsequently five years thereafter on an ongoing basis, to ensure the document meets the current needs.</u></b> The update of the GTAA is referenced in Table 3 of Chapter 5.0 on Monitoring of this document. Should need be found to have changed beyond that set out in this DPD (or indeed for another reason such as undeliverability of a site or sites) then this should trigger a review of this DPD.”</p>	
MM3	Strategic ‘Policy GT1 – Overall Need’/ Page 8	<p>Add text at end of Policy to read:  “The following levels of development will be planned for and provided within Nuneaton and Bedworth Borough between 2021 and 2037:</p> <ul style="list-style-type: none"> <li>• At least 6 permanent residential pitches to accommodate Gypsies and Travellers by 2025; and</li> <li>• At least a further 5 permanent residential pitches beyond those required by 2025 so that, in total, at least 11 permanent residential pitches to accommodate Gypsies and Travellers by 2037.</li> </ul> <p><b><u>This Policy supersedes the third bullet point of Policy DS4 of the adopted Borough Plan (2011-31).”</u></b></p>	<p>To make clear that the numbers for pitches within the existing Borough Plan (2011-2031) and the period of cover.</p> <p>This modification is also necessary to clarify which section of the existing Local Plan is superseded by the DPD.</p>
MM4	‘4.0 Location of Pitches’/ Under new sub section ‘Green Belt’/ Paragraph 4.3 and new paragraph 4.4/ Pages 9 and 10	<p>Delete whole paragraph as follows:  “4.3 <del>Notwithstanding the above, of all the occupied pitches, and plots on site/yards for gypsies and travellers all but one (that at Watling Street) are within the Green Belt including the local authority provision at Griff. The</del></p>	<p>Clarity of the position of the sites in relation to Green Belt Policy and to be consistent with existing Borough Plan.</p>



		<p>travelling showperson's yard is also outside of the Green Belt.”</p> <p>Replace paragraph 4.3 to read:</p> <p><b><u>“4.3 Sunrise Cottage and The Old Nursery are not currently being considered for the removal of their Green Belt status. The removal of the two sites from the Green Belt would not be consistent with Policy DS7 of the current Borough Plan (and would be noncompliant with Regulation 8(4) of the 2012 Regulations) which is the Part 1 plan. Notwithstanding this, the Borough Plan is currently being reviewed and the Green Belt status of these two sites may be revisited, if necessary, when the Borough Plan is updated as part of a wider review of the Green Belt. However, the Site Assessments and the Green Belt document explains how the Green Belt sites may be considered suitable for development subject to meeting national policy for the Green Belt.</u>”</b></p> <p>Add complete new paragraph to read:</p> <p><b><u>“4.4 If future planning applications on these sites are considered to be inappropriate development in the Green Belt, then it would be necessary to demonstrate ‘very special circumstances’ in accordance with the Framework. In this regard, the allocation of these sites for new gypsy and traveller pitches in this DPD will be an important consideration in any such assessment.”</u>”</b></p>	
MM5	‘4.0 Location of Pitches’/ Now under new sub section	Amend and add to paragraph to read: “4.6 Sites should also avoid locations that would impact upon land that has been designated for its interest, so, sites of	Reference to Policy H3 removed as to be superseded. Instead

	'Sustainability'/ Previously Paragraph 4.5 now 4.6/ Page 10	ecological, heritage, or geological value. Similarly, contaminated land, land prone to flooding, and land in a sensitive landscape should also be avoided. These and other criteria for selecting new gypsy and traveller sites are set out in Policy H3— <del>Gypsies and Travellers of the current Borough Plan.</del> <b><u>GT2 Strategy.</u></b>	refers to Policies within DPD.
MM6	'4.0 Location of Pitches'/ under sub section 'Locational Strategy'/ Previously Paragraph 4.6 now 4.7/ Page 10	Delete, add and amend some wording in paragraph as follows: "4.7 The fundamental purpose of the Gypsy and Traveller Site Allocations DPD is to allocate land to provide for the number of pitches identified as <del>the need by 2036/37.</del> <b><u>for the required need to 2037.</u></b> The Issues and Options consultation draft proposed four strategies for allocating new pitches. These were all assessed within the accompanying sustainability appraisal and two of the options were found to be the most sustainable, namely the following: A. Seek to allocate new pitches firstly within the permitted area of existing sites and/or adjacent to these sites, then based on walking distances to services, and then by existing Policy H3. D. Seek to allocate new pitches firstly within the permitted site area of existing sites, then adjacent to these existing pitches, then based on <del>walking distances to services. Use existing Policy H3 only once sites have been allocated by any of the other means and then only if insufficient has been allocated.</del> <b><u>the criteria set out in the latter part of the policy.</u></b> "	Make clear the cover period of the DPD. Remove reference to acceptability of walking distance as the location of the sites is unable to comply with this.
MM7	'4.0 Location of Pitches'/ under sub section 'Locational	Amend typing error from 'of' to "is". Delete one sentence to read:	To remove reference to the future use of

	Strategy'/Previously Paragraph 4.7 now 4.8/ Pages 10-11	<p>“4.8 Respondents to the issues and options selected only options A and D – with an even split of numbers to these two options from respondents. Options A and D – the first difference is that option A uses extant Policy H3 to assess sites at the outset whilst option D only uses extant Policy H3 once insufficient sites have been found via other means. The second difference if <b>is</b> that option D separates out the permitted areas of existing sites from land adjacent to existing sites whereas option A does not and treats them together. It is considered that option D should form the basis of the allocation of new pitches as it allows for the consideration of the permitted site area of existing sites first (and in isolation) and this has the potential for the least impact. However, in hindsight, the use of the word ‘adjacent’ could give rise to some ambiguity and the word ‘adjoining’ will be used instead to emphasise that there should be a physical relationship between the new and the existing. Also, another benefit of using option D is that Policy H3 is only used as a fallback if insufficient pitches have been found via other means rather than from the outset. It should be noted that should planning applications be made for new pitches on unallocated sites then the strategic policy in this DPD would be used as the starting point to assess their suitability.”</p>	Policy H3 of extant Borough Plan.
MM8	‘4.0 Location of Pitches’/ under sub section ‘Locational Strategy’/ Previously Paragraph 4.8	<p>Delete whole paragraph as follows:  “4.8 <del>In terms of walking distances to services a number of different ways in which this could be measured were suggested in the issues and options document and these ranged from 2-3 miles for school to 800 metres to a town centre. The intermediate distance was 1.6 kilometres to</del></p>	Remove reference to walking distance of sites to services to reflect revised policy wording



		<p>GPs (General Practitioners) and pharmacies. Given the above range of different ways to measure walking distances to specific services and that, ideally, access should be all of these, it seems a good compromise to use the intermediate distance, and this shall be used within the strategic policy.”</p>	
MM9	<p>‘4.0 Location of Pitches’/under sub section ‘Locational Strategy’/ Paragraph 4.9/ Page 11</p>	<p>Omit and amend wording to read:  “4.9 <del>Based on the above the strategy is a tiered approach whereby land that is being developed for new pitches will be assessed against the three priority land uses. In terms of allocations, land will be allocated in the order set out in the policy so that the priority will be to allocate land that meets priority one in the first instance. If insufficient pitches to meet the Borough’s needs are found to be acceptable then land use priority two will be used and then land use priority three. If insufficient remains allocated, then Policy H3 will be used. In terms of planning applications these are standalone parcels of land that cannot be dealt with by the same process and, thus, any of the three priority land uses would be acceptable subject to all other matters of the proposal being found acceptable. Policy H3 of the extant Borough Plan is only utilised if there is insufficient provision to meet the identified need for new pitches. <b><u>Policy GT2 identifies that new gypsy and traveller pitches will generally be supported within the sites allocated within GT3 or within the permitted area of existing lawful, authorised gypsy and traveller sites. In addition, to ensure that consideration is given to sustainability, any new sites that come forwards within the urban area (as shown within the settlement boundary of</u></b></del></p>	<p>Deleted reference to H3 of the extant Borough Plan and to clarify the criteria in GT2 and GT3 is instead used for allocating acceptable sites.</p>

		<p><b><u>Policy DS2 of the Borough Plan). In addition, land adjoining the permitted area of existing lawful, authorised gypsy and traveller sites will be considered as long as these are in proportion appropriate to the scale of the existing site. The intention is to supersede entirely Policy H3 in the current adopted Plan (2011 – 2031). Within the emerging Borough Plan (2024 – 2039) emerging Policy H3 will simply signpost to the adopted DPD for guidance on any new pitches or plots.”</u></b></p>	
MM10	Strategic ‘Policy GT2 Strategy’/ Pages 11 and 12	<p>Amend, omit, and add to read:  “Planning permission will be granted for new gypsy and traveller pitches subject to compliance with other policies of the development plan <b><u>and with national policy including in relation to Green Belt</u></b> in the following priority land uses <b><u>on the following land:</u></b></p> <ul style="list-style-type: none"> <li>a) <b><u>Sites allocated in Policy GT3 or</u></b> within the permitted area of existing lawful, authorised gypsy and traveller sites; <del>or</del></li> <li>b) <b><u>Sites within the urban area (as shown within the settlement boundary of Policy DS2 of the Borough Plan);</u></b> <del>or</del></li> <li>c) <del>then land adjoining the permitted area of existing lawful, authorised gypsy and traveller sites; ___</del>d) <del>then land within 1.6 kilometres of appropriate services, such as schools, GP surgeries, shops, and these services being capable of being accessed safely by foot.</del> <b><u>Extensions adjoining the permitted area of existing lawful, authorised gypsy and traveller sites that are proportionate in scale to the existing site.</u></b></li> </ul>	<p>See note above. Instead of having to demonstrate the priority land uses all the criteria is equally acceptable. Thus, negating a staged approach to the criteria.</p>

**Any proposed sites considered must comply with all of the following:**

- a) **The site should have reasonable access to essential services including health and education facilities and access to local shops;**
- b) **The number of pitches or plots is in proportion to the size and scale of the site;**
- c) **The number of pitches or plots is in proportion to the size and density of the nearest settled community;**
- d) **The site is not located in areas of high flood risk;**
- e) **The site avoids adverse impact on historic and important open spaces, landscape or local nature conservation designations, ecology and biodiversity assets;**
- f) **The site is located where the privacy, visual and residential amenity for both site residents and neighbouring land uses are protected;**
- g) **The site has suitable access to the highway network;**
- h) **The site is located where air or noise pollution will not significantly affect the health and well-being of site residents; and**
- i) **The site has suitable connection to the foul sewage system or can demonstrate that connection is unviable and alternative arrangements can be made.**

~~If there is insufficient provision to meet the minimum needs identified in Strategic Policy GT1 – Overall Need then extant Policy H3 – Gypsies and Travellers of the Borough Plan will be used to determine the acceptability of the new development.~~

**This Policy supersedes Policy H3 of the adopted Borough Plan (2011-31).”**



MM11	Supporting text under Strategic 'Policy GT2 Strategy'. Under subheading 'Allocation of Sites'/ Previously Paragraph 4.12 now 4.13/ Page 13	Sentences omitted at beginning of paragraph to read: <del>"4.13 This site does not meet the three bullet points of Strategic Policy GT2 – Strategy but the policy allows for sites in other locations that accord with Policy H3 where the need set out in Strategic Policy GT1 – Overall Need has not been met. The other two sites would provide nine pitches, leaving a shortfall of two pitches to meet the identified need. An assessment of the site against Policy H3 has concluded that the site would be acceptable for allocation. The number of pitches provided by the three sites found acceptable for allocation would provide 14-15 pitches which would, firstly, meet the minimum 11 pitches required and, secondly, build in some resilience should the anticipated levels of turnover at The Griff not take place."</del>	Removed reference to Policy H3 of Borough Plan so reference to this has been removed for clarity.
MM12	Supporting text under Strategic 'Policy GT2 Strategy'. under subheading 'Allocation of Sites'/ Previously Paragraph 4.15 now 4.16/ Page 13	Deleted sentences at end of paragraph to read: <del>"4.16 The need for new gypsy and traveller pitches set out in Strategic Policy GT1 – Overall Need is for at least 11 permanent residential pitches to accommodate Gypsies and Travellers. The sites that have been found acceptable to allocate would provide up to 15 pitches at three locations and these are set out in Policy GT3 – Site Allocations. Below the policy an accompanying plan is provided showing the area to which the allocation relates." Two of the sites are within the Green Belt, namely Sunrise Cottage and The Old Nursery, and these have been found to meet the terms of exceptions and thus allowable development in the Green Belt. The extant proposals map will need to be updated to remove these two sites from the Green Belt.</del>	Omitted the requirement to remove sites from the Green Belt as there is no intention of removing these sites within the extant Borough Plan which would have meant the DPD conflicted with the extant Local Plan.

MM13	Strategic 'Policy GT3 – Site Allocations'/ Pages 15 and 16	<p>Additions to the Policy to read:</p> <p>“Planning permission will be granted for new gypsy and traveller pitches at the following sites and as denoted with a solid red line on the accompanying site plans:</p> <p>GTSA1 – Sunrise Cottage for three additional pitches within the existing site as shown as a solid red line on the accompanying plan.</p> <p>GTSA2 – The Old Nursery for five to six new pitches within the site as shown as a solid red line on the accompanying plan.</p> <p>GTSA3 - Winter Oak for six additional pitches within the existing site as shown as a solid red line on the accompanying plan.</p> <p><u>Key Development Requirements</u></p> <p>Planning applications at the allocated sites shall contain the details as set out below:</p> <p>GTSA1 – Sunrise Cottage</p> <ul style="list-style-type: none"> <li>• Provision of visibility splays of 160 metres.</li> <li>• Suitable bin collection points should be provided within the site so that bins are not stored within the highway.</li> <li>• Preliminary Ecological Assessment.</li> <li>• <b><u>Where possible foul sewage for new pitches/plots should connect to existing foul mains drainage. Where connection to mains drainage is not possible, the potential impact on the water environment will need to be considered.</u></b></li> </ul>	Added requirements that became apparent during the Publication consultation process.
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GTSA2 – The Old Nursery

- Closure of the northern access within the site.
- Access to be made in and out of the site from the southern access within the site.
- Configuration of an access that allows for sufficient manoeuvring room for any vehicles entering/exiting the site.
- Any gates within the access to be setback sufficient distance to allow any vehicle entering the site to exit the highway completely whilst the gates are opened or closed.
- Provision of visibility splays of 160 metres.
- Suitable bin collection points should be provided within the site so that bins are not stored within the highway.
- Landscaping of the site boundary to soften the appearance of the pitches from external views.
- Preliminary Ecological Assessment.
- Retention of existing boundary vegetation.
- Provision of communal play area within the site.
- **Address any contamination on the site.**
- **Where possible foul sewage for new pitches/plots should connect to existing foul mains drainage. Where connection to mains drainage is not possible, the potential impact on the water environment will need to be considered.**

GTSA3 – Winter Oak



		<ul style="list-style-type: none"> <li>• Suitable bin collection points should be provided within the site so that bins are not stored within the highway.</li> <li>• Preliminary Ecological Assessment.</li> <li>• Retention of existing boundary vegetation.</li> <li>• <b><u>Provision of communal play area within the site.</u></b></li> <li>• <b><u>Ensure air and noise quality to future residents of the site is acceptable.</u></b></li> <li>• <b><u>Where possible foul sewage for new pitches/plots should connect to existing foul mains drainage. Where connection to mains drainage is not possible, the potential impact on the water quality will need to be considered.”</u></b></li> </ul>	
MM14	Strategic ‘Policy GT4 – Site Safeguarding’/ Page 19	<p>Amend and omit some wording to read:  “The travelling showpeople site at Spinney Lane/Whittleford Road, Nuneaton as denoted on plan GTSA4 with a solid red line will be safeguarded for use by travelling showpeople.</p> <p>Alternative uses will <b><u>only</u></b> be permitted if it is <b><u>clearly demonstrated</u></b> <del>proven that either there is no longer a requirement</del> <b><u>the site is no longer required</u></b> for travelling showpeople accommodation.” <del>or that an alternative site for travelling showpeople is available within Warwickshire.</del></p>	Reworded Policy in order to require demonstration if the site is no longer required and deleted reference to the removal of the protection in the event a new site is located in Warwickshire which is unlikely to happen.
MM15	‘5.0 Monitoring’/Table 3/ Page 21	<p>Omit and amend some wording in the table to read:  “Table 3 - Monitoring indicators and targets for the policies of the Gypsy and Traveller Site Allocations Development Plan Document (DPD).</p>	Make clearer the monitoring process and requirement for a new Accommodation Assessment Survey to see if the number of

			Policy	Indicator	Target	
			Strategic Policy GT1 – Overall Need	Gypsy and traveller accommodation.	11 residential pitches Provided.	pitches has changed and therefore requires amending. Amend wording to replicate the wording within Policy GT4.
				Monitor the continued need for additional pitches.	Within five years of adoption of this DPD undertake a new Gypsy, Traveller, and Showpeople Accommodation Assessment.	
			Strategic Policy GT2 – Strategy	Sites permitted in accordance with the <u>policy criteria mentioned in policy GT2.</u>	100%. <u>Timescales as below.</u>	

			<p>Policy GT3 – Site Allocations</p> <p>Monitor the supply and delivery of allocated sites and report annually through the Authority Monitoring Report. <b><u>Contact the proposed sites on a yearly basis after the AMR to encourage the sites to come forwards and answer any concerns the owners may have on bringing the sites forwards at that time</u></b></p>	<p>A minimum of six additional residential pitches permitted and available for use by 2025/26 and a minimum of 11 additional residential pitches permitted and available by 2036/37.</p>	
			<p>Policy GT4 – Site Safeguarding</p> <p>Monitor the use of the safeguarded site.</p>	<p>The identified site at Spinney Lane/Whittleford Road, Nuneaton to remain used for travelling showpeople unless it <b>is was</b></p>	



					proven to be no longer required. <b><u>clearly demonstrated that the site is no longer required for travelling showpeople accommodation</u></b>	
MM16	'Appendix 1'/Table/Page 22	Omit and amend some wording to read: "Relationship between the policies in this DPD and the extant Borough Plan.				To make clearer what is to be superseded in the extant Borough Plan when the DPD is adopted.
		<b>Superseded Existing</b> Borough Plan policies		<b>Superseding Effect of</b> Gypsy and Traveller Site Allocations DPD policies		
		Policy DS4 – Overall development needs (third bullet point only).		<b>Superseded by</b> Strategic Policy GT1 – Overall Need.		
		Policy H3 – Gypsies and Travellers. (figures contained in first sentence)		<b>Superseded by</b> Strategic Policy GT1 – Overall Need. <b>GT2 – Strategy</b> –.		
MM17	'Appendix 1'/ Supporting text to table / Page 22	Add to appendix to read: "For reference Policy DS4 Overall development needs should now read: <b><u>The following levels of housing and employment development will be planned for and provided within Nuneaton and Bedworth Borough between 2011 and 2031:</u></b>				To make clear that reference to pitches in third bullet point of Policy DS4 of the extant Borough Plan is to be deleted.
		<ul style="list-style-type: none"> <li>• <b><u>At least 14,060 homes</u></b></li> <li>• <b><u>At least 107.8 ha of employment land</u></b></li> </ul>				

- |  |  |   |  |
|--|--|---|--|
|  |  | <ul style="list-style-type: none"><li>• <u>At least 39 residential pitches and 5 transit pitches to accommodate Gypsies and Travellers"</u></li></ul> |  |
|--|--|---|--|

# **Nuneaton & Bedworth Gypsy and Traveller Site Allocations DPD**

**Inspector: Thomas Hatfield BA (Hons) MA MRTPI**

**Programme Officer: Helen Wilson**

**Reference: PINS/W3710/429/5**

## **CD 6.3-Schedule of Additional Modifications**

(Main Modifications provided in CD 6.2)

**December 2023**



The separate document (CD 6.2) provides details of the Main Modifications that are recommended by the Inspector to make the DPD sound and legally compliant.

The Additional Modifications found in this document (CD 6.3) are those which do not materially affect the Policies in the DPD, but which are generally minor factual updates; corrections of any errors or which are considered necessary for clarity.

### Additional Modifications considered necessary

<b>Additional Modification Reference</b>	<b>DPD Sub Section/ Paragraph/Policy box/table/Page number of amended DPD</b>	<b>Proposed Main Modification.</b> (New wording added in bold and underlined. Deletions stricken through.)	<b>Reasons for modification</b>
Additional Modification M1	Front page	Omit text as follows: “ <del>Publication consultation draft</del> ”.	Once adopted the document will not be the Publication version or draft.
Additional Modification M2	Front page	Add text as follows: “ <u>2021 – 2037</u> ”	To clarify the cover period proposed.
Additional Modification M3	‘Table of contents’/ Page i	Pages numbers need to be amended once finalised. Delete reference to ‘Conclusion’ from table.	To show changes to the page numbering and the proposed deletion of the conclusion section.
Additional Modification M4	‘1.0 Introduction’/ Paragraph 1.4/ Page 1	Amending wording to read: “1.4 <b><u>This adopted DPD was preceded</u></b> This document is <del>by</del> the Publication <b><u>version</u></b> of the Gypsy and Traveller Site Allocations DPD; <b><u>which was</u></b> <del>this is</del> the formal document as required by Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012. <b><u>This was consulted on between 28<sup>th</sup> January 2022 and 25<sup>th</sup> March 2022.</u></b> A consultation on the previous version of the Gypsy and Traveller Site Allocations DPD, the Issues and Options consultation draft, took place between 11 <sup>th</sup> June 2021 and 6 <sup>th</sup> August 2021. This document was that required by Regulation 18 of The	The original paragraph was for the Publication version during consultation and needs to be changed to reflect the DPD, with modifications agreed with the Planning Inspectorate in order to be adopted.

		Town and Country Planning (Local Planning) (England) Regulations 2012. A consultation statement has been produced which sets out the responses received and how they <u>were</u> <del>have been</del> considered in producing <u>the</u> <del>is next version of the</del> DPD.”	
Additional Modification M5	‘1.0 Introduction’/ Paragraph 1.5/ Page 1	Delete reference to conclusion to read: “1.5 The document is set out in <del>five</del> <u>four</u> subsequent chapters addressing the vision and objectives of the DPD, followed by the need for new pitches, the locations of these new pitches <u>and</u> a monitoring schedule for the DPD.”; <del>and a conclusion.</del>	To delete reference to the conclusion as conclusion has been deleted as not considered necessary.
Additional Modification M6	‘3.0 Need’ under sub section ‘Introduction’/ Paragraph 3.3/ Page 4	Delete last sentence to read: “3.3 Using the requirement for new pitches from the 2021 GTAA as a minimum rather than the higher figures in the extant Borough Plan means that this document will need to supersede the requirements for new pitches set out in Policies DS4 and H3 of the Borough Plan. <del>The Borough Plan is being reviewed and these policies will be looked at, but this process is running behind this document so for an interim period the policy on need in this document will have to take precedence over that in the adopted Borough Plan.</del> ”	Deleted as contradicts paragraph 4.9
Additional Modification M7	‘4.0 Location of Pitches’ under sub section ‘Introduction’/ First sub section title / Page 9	Amend sub section heading from “Introduction” to: “ <u>Green Belt</u> ”	To make clearer the reference to Green Belt within the document.
Additional Modification M8	‘4.0 Location of Pitches’/Under sub section ‘Green Belt’/ Paragraph 4.1/Page 9	Add to beginning of paragraph to read: “4.1 <u>Two of the sites to receive new pitches are within the Green Belt, namely Sunrise Cottage and The Old</u>	To make clearer that two of the sites are within Green Belt.



		<p><b>Nursery.</b> Nuneaton and Bedworth Borough sits within the wider West Midlands Green Belt and Green Belt forms a large part of the borough. The Green Belt is mostly located to the south of Nuneaton, but also surrounds the main areas of Bedworth, Bulkington, and Ash Green. Nationally, the government attaches great importance to the Green Belt. The five key purposes of Green Belts are:</p> <ul style="list-style-type: none"> <li>• to check the unrestricted sprawl of large built-up areas;</li> <li>• to prevent neighbouring towns merging into one another;</li> <li>• to assist in safeguarding the countryside from encroachment;</li> <li>• to preserve the setting and special character of historic towns; and</li> <li>• to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”</li> </ul>	
Additional Modification M9	‘4.0 Location of Pitches’/ Heading before Paragraph 4.4 now 4.5/ Page 10	Add subsection heading as follows: “ <b>Sustainability</b> ”.	Added sub section as consideration needed to be given to sustainability of the sites.
Additional Modification M10	‘4.0 Location of Pitches’/Under sub section ‘Sustainability’ and ‘Locational Strategy’/ Paragraphs 4.3 to 4.8/ Pages 9 -11	Paragraphs renumbered.	
Additional Modification M11	‘4.0 Location of Pitches’/Under sub section ‘Sustainability’/ Previously Paragraph 4.4 now Paragraph 4.5/ Page 10	Replace one word to read: “4.5 Beyond the issue of the Green Belt, which is a significant matter, there are other factors that may need consideration for the locating of new gypsy and traveller pitches. Sites should have good <b>reasonable</b> access to	To reflect the wording in Policy GT2

		services, such as shops, schools, GP surgeries, and pharmacies, and this access should be capable of being done by modes of transport other than private car. Walking is the easiest and cheapest way to access services and thus is the focus for accessibility. However, many of the current sites are limited by their options for modes of travel.”	
Additional Modification M12	Supporting text under ‘Strategic Policy GT2 Strategy’/ New paragraph number 4.10/ Page 12	Add new paragraph as follows: <b><u>“4.10 Where alternative methods for foul water treatment such as septic tanks or cesspits are required; consent will be required from the Environment Agency for an Environmental Permit (Regulations 2016). This is to enable the discharge of polluting substances (including sewage effluent) into surface waters or the ground. It is the Applicants responsibility to make the appropriate enquiries regarding any Environmental Permit requirements. (Environmental Permitting Guidance can be found at: <a href="https://www.gov.uk/environmental-permit-check-if-you-need-one">https://www.gov.uk/environmental-permit-check-if-you-need-one</a>”</u></b>	Paragraph required due to response from the Environment Agency to the Publication version.
Additional Modification M13	Supporting text under Strategic ‘Policy GT2 Strategy’. Under subheading ‘Allocation of Sites’/ Paragraphs 4.10 to 4.20/ Pages 12-14	Paragraphs renumbered.	
Additional Modification M14	Supporting text under Strategic ‘Policy GT2 Strategy’. Under subheading ‘Allocation of Sites’. Previously paragraph 4.11 now paragraph 4.12/ Page 12 and 13	Two words deleted to read: “4.12 The 2021 GTAA also identified another site that had the potential to accommodate new pitches <del>but this</del> through the physical expansion of the site. This was the privately owned site at Fella's Acre, Mile Tree Lane, Bulkington	Words deleted as no longer required.

		<p>which it was considered could accommodate an additional two pitches. This was also independently assessed and following this the site was deemed to be unsuitable for expansion – mainly relating to deliverability. However, the landowner expressed an interest in developing another site for new pitches, namely The Old Nursery, Parrotts Grove, Coventry. This has been independently assessed and it was concluded that the site could be developed to provide five to six new pitches. The site has also been assessed by the Council, with input from key technical stakeholders, and there are no outright technical reasons why this form of development would be unacceptable in this location.”</p>	
Additional Modification M15	Previously Paragraph 4.20 now 4.21/ Page 14	<p>Amend wording and some deletions to read:  “4.21 The matter of flooding is not addressed because at this time it is not considered to be relevant as sites are in flood zone 1 and there is no indication that they suffer inundation. However, <del>areas prone to flooding change</del> <b><u>climate change means that this could change</u></b> and should this <del>then</del> be the case <b><u>then</u></b> extant Policy NE4 – Managing flood risk and water quality (<u>Borough Plan</u>) would be used.” Similarly, <del>sewage connection is not a key development requirement as this is already addressed by bullet point number 9 of extant H3 – Gypsies and Travellers.</del></p>	Include reference to climate change that could mean the sites change from Flood Zone 1 in the future.
Additional Modification M16	Supporting text to Strategic ‘Policy GT3 – Site Allocations’/ Page 18	<p>Add new paragraph to read:  <b><u>“4.22 For site GTSA3 – Winter Oak, it is suggested that prior to any submission of a planning application, that the Applicant contacts National Highways to discuss the access and the information they may</u></b></p>	Required following the response from National Highways during the consultation of the



		<b><u>require to be submitted for any formal submission. In addition, for this particular site, an Air Quality Exposure Assessment and Noise Assessment may be required to determine any formal planning application to inform of any mitigation required.”</u></b>	Publication document.
Additional Modification M17	Supporting text to Strategic ‘Policy GT3 – Site Allocations’ Previously Paragraph 4.21 now 4.23/ Page 19	<p>Delete paragraph from under red line plan of GTSA3 – Winter Oak as follows:</p> <p><del>4.23 As well as the allocation of sites for new gypsy and traveller pitches the Council has considered the ongoing need for a travelling showperson’s yard within the Borough, currently at Spinney Lane/Whittleford Road, Nuneaton. This is the only such type of accommodation in Warwickshire and thus has considerable importance to the County as an asset and also by ensuring continuity and availability of these plots within the Borough it contributes towards provision. The issues and options consultation document proposed the safeguarding of the site for its current use given its special status in the County. Comments were sparse on this matter, but no responses were received stating that safeguarding of this site for this purpose was incompatible with surrounding land uses or unacceptable. The Habitats Regulations Report and the Sustainability Appraisal Report both conclude that there would be no significant adverse impacts from the identified land continuing to be used for its current use.”</del></p> <p>Instead add as text under red line plan of GTSA4 – Site Safeguarding the following supporting text: <b><u>“4.23 As well as the allocation of sites for new gypsy and traveller pitches the Council has considered the</u></b></p>	Amended position of paragraph to be within Policy GT4.

		<p><u>ongoing need for a travelling showperson’s yard within the Borough, currently at Spinney Lane/Whittleford Road, Nuneaton. This is the only such type of accommodation in Warwickshire and thus has considerable importance to the County as an asset and also by ensuring continuity and availability of these plots within the Borough it contributes towards provision. The issues and options consultation document proposed the safeguarding of the site for its current use given its special status in the County. Comments were sparse on this matter, but no responses were received stating that safeguarding of this site for this purpose was incompatible with surrounding land uses or unacceptable. The Habitats Regulations Report and the Sustainability Appraisal Report both conclude that there would be no significant adverse impacts from the identified land continuing to be used for its current use.”</u></p>	
Additional Modification M18	6.0 Conclusion	<p>Delete entire section:</p> <p><del>“6.0 Conclusion</del></p> <p><del>6.1 The issues and options document of the Gypsy and Traveller Site Allocations Development Plan Document (DPD) was the first stage of producing this DPD. It set out the key issues for the locating of new traveller sites, namely how many and where and the reasonable options for approaching these issues. The document contained 10 questions that the answers to helped inform this next (publication) version of the DPD.</del></p>	Conclusion not deemed necessary so deleted.

		<p><del>6.2 This document seeks to provide for a minimum of 11 residential pitches in the borough for gypsies and travellers by 2036/37. To achieve these three parcels of land have been identified and allocated to provide at least 14 residential pitches. Also, the existing travelling showpeople site in Nuneaton has been safeguarded from alternative uses."</del></p>	
<p>Additional Modification M19</p>	<p>Throughout document.  Paragraphs 1.1, 3.7, 3.8, 4.2, 4.4, 4.5, 4.6, 4.9, 4.14, 4.16, 4.19, 4.23  Title for table 1, within table 3.  Policy GT2 – Strategy  Policy GT3 – Site Allocations  Policy GT4 – Site Safeguarding</p>	<p>Capitalised throughout document "Gypsies and Travellers and Travelling Showperson/Showpeople"</p>	<p>For consistency</p>



**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**EXTRAORDINARY COUNCIL**

**17<sup>th</sup> January, 2024**

An Extraordinary Council meeting of the Nuneaton and Bedworth Borough Council was held on Wednesday, 17<sup>th</sup> January 2024 which was recorded and uploaded to Youtube.

**Present**

The Mayor (Councillor M. Walsh)  
The Deputy Mayor (Councillor B. Hammersley)

Councillors D. Brown, C. Cape, J. Clarke, T. Cooper, J. Coventry-Moreton, S. Croft, L. Cvetkovic, L. Downs, C. Golby, M. Green, J. Gutteridge, K. Kondakor, S. Markham, G. Moreton, B. Pandher, R. Baxter-Payne, J. Sheppard, T. Sheppard, E. Shiers, J. Singh, R. Smith, C. Watkins, M. Wright and K. Wilson

Apologies were received for Councillors B. Beetham, K. Evans, S. Harbison, N. Phillips, M. Tromans and R. Tromans

CL42 **Declarations of Interests**

**RESOLVED** that the Declarations of Interests for this meeting are as set out in the schedule attached to these minutes. In addition, the following was declared:

Councillor E. Shiers declared by way of an Other Interest that she has been appointed Director of Community Interest Company Chill supporting children with additional needs.

Councillor C. Golby declared a Disclosable Pecuniary Interest by way of her change in employment.

CL43 **Announcements**

There were no announcements.

CL44 **Public Participation**

None

CL45 **Up-date on the Gypsy and Traveller Site Allocations Development Plan Document (DPD)**

The Assistant Director – Planning submitted a report to full council, after Cabinet approval on 10<sup>th</sup> January 2024, to update Members on the Gypsy

and Traveller Site Allocations Development Plan Document (DPD);  
Consideration of the Planning Inspector's Report on the Examination of the  
DPD and to recommend to Council to approve the DPD after the Secretary of  
State – Planning Inspectorate has confirmed the Document is considered  
sound (Appendix A of the report).

Councillor R. Smith moved the recommendations for council approval.

Councillor K. Wilson seconded the recommendations.

A vote was taken.

**RESOLVED** that

- a) the public consultation responses be noted;
- b) the Gypsy and Traveller Site Allocations Development Plan Document (DPD) published in January 2022 as amended (Appendix B) by:
  - The Inspectors Final Report (Appendix A);
  - The schedule of Main Modifications recommended by the Inspector (Appendix C); and
  - The schedule of Additional Modifications (Appendix D)be adopted;
- c) upon the adopted Gypsy and Traveller Site Allocations DPD make available as soon as is practicable and in accordance with regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended):
  - The Inspectors Final Report.
  - The DPD.
  - An Adoption Statement.
  - The Sustainability Report and Addendum and Habitats Regulations Assessment and Main Modifications Habitats Regulations Assessment.
  - Details of where the DPD will be available for inspection and the places and times at which the document can be inspected.
  - Send a copy of the Adoption Statement to any person who has asked to be notified of the adoption of the DPD.
  - Send a copy of the Adoption Statement to the Secretary of State.
- d) the Assistant Director for Planning in consultation with the Portfolio Holder for Planning and Regulation be given Delegated Authority to make any further amendments such as minor typing or page numbering errors;
- e) the adopted Local Plan map be amended to include the site allocations; and

- f) the DPD will supersede the third bullet point of Adopted Borough Plan 2011-2031 Policy DS4 – Overall development needs and supersede all of Policy H3 – Gypsies and Travellers.

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Mayor