

MAYOR AND CABINET			
Report Title	Relocation of Travellers' Site		
Key Decision	Yes		Item No. 8
Ward			
Contributors	Executive Directors for Regeneration, Resources & Community Services, Head of Law		
Class	Part 1	Date: 18 April 2007	

1. Summary

This report outlines the latest position on the search for alternative sites to replace the existing Travellers' Site in Thurston Road and recommends that consultation with Travellers and local residents be commenced on two options. It also sets out the outcome of the consultation exercise with users on the option of using part of the site of Ladywell Day Centre.

2. Purpose

The current Travellers' site in Thurston Rd is required as part of the Lewisham Gateway redevelopment. The purpose of this report is to set out alternative sites for relocation.

3. Policy Context

3.1 The Council has a duty under the Housing Act 2004 to assess the need for Gypsy and Traveller accommodation in their areas when they assess housing requirements.

3.2 The changes proposed for Lewisham Town Centre as part of the Urban Renaissance in Lewisham Partnership include improving the transport interchange, creating opportunities for local people and promoting business success.

4 Recommendations

That the Mayor agrees:

4.1 that consultation with Travellers and local residents be commenced on the use of Laurence House Lorry Park site or the Church Grove site as being the preferred replacement site for Thurston Rd.

- 4.2 that Officers be instructed to undertake further work on the potential site layouts, planning requirements and potential costs of each site.
- 4.3 that Mayor and Cabinet consider a further report on 20 June 2007 on the outcome of the consultation process and the further work referred to above.

5 Background

- 5.1 On 9th June 2004 the Mayor agreed the selection of a developer and agreed the heads of terms for the disposal of the Council landholdings, including the Travellers' Site, within the Lewisham Gateway scheme to Lewisham Gateway Developments Limited (LGDL). The Council has joined the London Development Agency (LDA), Transport for London (TfL) and London Bus Services Ltd (LBSL) to form a public sector land owning consortium with the LDA taking the lead role. The Development Agreement between the consortium parties and AMEC and Taylor Woodrow was completed on 19 December 2006. The LDA are purchasing all other land interests required for the scheme using their compulsory purchase powers if necessary.
- 5.2 The purpose of the Lewisham Gateway scheme is the redevelopment of a site around Lewisham Station including a new transport interchange, an extension to the existing shopping centre and additional residential and commercial developments. The redevelopment area is collectively known as Lewisham Gateway.
- 5.3 The Travellers' site forms part of the redevelopment area and therefore needs to be relocated to facilitate the scheme. Prior to December 2006, two site searches were undertaken with a view to identifying a suitable replacement site. Neither of these two searches identified a suitable location that was both available and could be delivered within the required timescale. In 2006, officers identified the potential of using land, including a sports hall, adjacent to Ladywell Day Centre. This was explored by officers and was the subject of a planning application that was withdrawn in November 2006.

6 Site requirements and site search

- 6.1 The Lewisham Gateway scheme proposes the use of the Thurston Road site for a replacement bus station. This is currently provided on land adjoining the station in the centre of the Gateway development site. The timetable for the Gateway scheme assumes that the current bus station will be vacated at the start of construction so as to allow the new highway layout to be built. Construction will start as soon as a Road Closure Order is in place and the procedures to get this will follow subject to the Gateway Developer gaining planning consent. On this basis, it is currently envisaged that construction will be able to start around May 2008. The Council is required under the terms of

the Development Agreement to deliver up vacant possession of the Thurston Road site. Financial penalties will be incurred by the Council if vacant possession has not been provided by the time that the developer would otherwise be in a position to proceed with construction.

- 6.2 The current site in Thurston Rd has space for 16 pitches with 7 pitches currently licensed. Officers have been working with the Travellers to identify alternative housing solutions that would meet some of their needs. These discussions are continuing and include exploring whether homes in the Loampit Vale development could meet the changing needs of some of those currently living on the site. The needs of the families differ. Of the 7 pitches, 3 are occupied by older women and 4 by younger families with a total of 6 school aged children living on the site. A number of the children attend Lewisham Bridge School and it would be advantageous if this could continue.
- 6.3 A condition survey of the Thurston Rd site was undertaken in November 2006. The report is highly critical of its present condition and supports the view of the Council and the Travellers that the existing site is no longer fit for purpose and should be relocated.
- 6.4 Current Communities and Local Government (CLG) guidance is that Traveller sites should ideally not exceed eight pitches. Given the 16 pitches on Thurston Road, this could imply the need to identify two sites that could accommodate eight pitches each. However, the number of pitches that may be required in future is not clear. The immediate priority for the Council is to urgently identify a suitable alternative site to accommodate the existing traveller community.
- 6.5 During 2006 a possible replacement site was identified that is currently occupied by a sports hall plus adjoining land adjacent to Ladywell Day Centre. Use of this site would require the re-provision of services provided from the sports hall in alternative locations. Consultation was carried out from 18 November to 8 December 2006 with users of the sports hall and other interested groups and the results are set out in Appendix 1. The consultation examined the needs of users of the sports hall, the possible alternative locations for each user group and the associated service and cost implications of providing alternative venues for users.
- 6.6 The consultation concluded that although it may be possible to relocate all the existing users of the gymnasium, the alternatives would present significant difficulties in terms of service to users, many of whom are disabled, and cost. For example, the sports hall is used by 15 user groups comprising 152 service users and over half of the service users are over 65 years of age. It is not therefore proposed to pursue use of this site as a replacement for Thurston Road.

6.7 In December 2006, CB Richard Ellis (CBRE) were asked to undertake an independent review of suitable sites within the Borough for the relocation of the Travellers and their report is attached as Appendix 2. The criteria for the site search were:

- Located within easy traveling distance of Lewisham Town Centre
- Should avoid fragmentation of existing Traveller community
- Ready for occupation by the end of 2007
- Should accommodate 8 pitches (minimum area 1,800 sq. m)

6.8 The report identified a long list over 60 potential sites. These were then short listed based upon:

- Capacity – minimum area of 1,800 sq. m
- Suitability – distance from Town Centre and planning constraints
- Availability – capable of occupation by the end of 2007

6.9 This narrowed the potential sites down to five consisting of:

- Laurence House Lorry Park
- Former Watergate School in Church Grove
- Downham Enterprise Centre including an adjacent disused garage site
- Land in Campshill Road
- Former garage site in Beechmont Close

Each site was then reviewed in more detail. The review indicated that Downham Enterprise Centre has an existing employment use that the planning authority would like to retain and the site was also regarded as being too far from Lewisham Town Centre. The land at Campshill has good accessibility to the Town Centre but the surrounding land uses include a 4-storey block of flats and 3-storey nursing home that raised planning concerns. For these reasons both the Downham and Campshill Road sites were rejected.

6.10 Of the three remaining sites, CBRE consider the Laurence House Lorry Park to be the favoured location as the site has good public transport access to Lewisham Town Centre, is in Council ownership and has good access to local amenities. CBRE recommended the former Watergate School site in Church Grove as a reserve site. The Beechmont Close site has reasonable access to local amenities but is located a substantial distance from Lewisham Town Centre.

6.11 In January 2007 Consultant Architects were appointed to prepare indicative sketch plans for each of the sites to assess how they could be configured to meet the requirement of delivering at least 8 pitches. This work indicates that, due to the configuration of the sites, Beechmont Close would only be able to accommodate 4 pitches while the Laurence House Lorry Park and the old Watergate School site in Church Grove

could both accommodate up to 8. For these reasons the report now focuses on these two sites

Laurence House Lorry Park

- 6.12 The Laurence House Lorry Park site is bordered by residential development and a telephone exchange to the south and Council offices to the north, it is adjacent to local shops in Catford, has good transport links and is on the edge of the Culverley Green Conservation Area. The site remains in use as a lorry park and an alternative site would be required for lorry parking if the site was used as a replacement for the Traveller's site. The Local Implementation Plan PEP Measure 7.2 Effective HGV Management states that "the Council will endeavour to provide an overnight lorry park." The Council would be required to re-provide this service if possible. Ideally, such a site should be close to the A205 South Circular Road and it is suggested that the Perry Vale Car Park be altered to provide this. Some improvement to the entrance ramp and re-marking of the car park itself would be needed. Should the Laurence House Lorry Park site be selected, there will be additional costs for these improvements.
- 6.13 In the longer term the Lorry Park site is important to the emerging Catford Town Centre Area Action Plan and possible changes to the alignment of the A205. The site is likely to be required as part of any comprehensive plan for the regeneration of Catford but this is unlikely to be until 2011, at the earliest. Although plans have existed to realign the A205 for many years, it is possible that over the next 3-4 years such a scheme could become a firm proposal, in order to facilitate the redevelopment of the Catford Centre. However, it is considered unlikely that the site would be required within the short term.
- 6.14 For these reasons the Laurence House Lorry Park would only be suitable as an interim location and an alternative permanent site would need to be subsequently identified and constructed.
- 6.15 The advantages of the site are its proximity to local shops and the fact that it offers good transport links. The main disadvantages are the need, in the medium term, of the site for alternative purposes, the need to replace the existing lorry park and its proximity to the intersection of two major roads.

Old Watergate School site in Church Grove

- 6.16 The old Watergate school site is in a residential setting at the end of Church Grove adjacent to the St Mary's Conservation Area. It was the location of the old Watergate School prior to its rebuild and was held as a potential decant site for the schools' PFI but, when primary schools were dropped from the package, it was deemed to be no longer required. It has been earmarked for disposal as part of the PFI and a capital sum is required to make the scheme affordable. Further

information on this is contained in the parallel report on Part 2 of the Agenda

- 6.17 The site backs onto the River Ravensbourne and any planning application would need to address the requirements of the Environment Agency.
- 6.18 The key advantage of the site from a Traveller perspective is its proximity to Lewisham Town Centre and its services. The key disadvantages are the loss of a major capital receipt, the narrow access to the site and its proximity to the river.

7 Next Steps

- 7.1 It is proposed to undertake consultation in May 2007 with Travellers and local residents on the two site options : the Laurence House Lorry Park and the former Watergate School site in Church Grove. The outcome of the consultation will be reported to Mayor and Cabinet on 20 June 2007. Subject to the outcome of this consultation and the decision of Mayor and Cabinet on 20 June 2007, officers would then propose to submit a planning application with the aim of being in a position to commence work on the selected site as soon as possible.

8 Financial Implications

- 8.1 These are covered in the Part 2 report as they contain commercially sensitive information.

9 Legal Implications

- 9.1 The existing Travellers' site at Thurston Road is provided by the Council under its powers contained in the Caravan Sites Act 1968. Occupiers of caravans stationed on sites provided under the 1968 Act occupy under licence agreements which can be terminated by four weeks' notice.
- 9.2 The Housing Act 2004 requires authorities to assess the need for Gypsy and Traveller accommodation in their areas when they assess their overall housing requirements. Authorities must then develop a strategy which addresses the need arising from the accommodation assessment, through public or private provision.
- 9.3 It is important that the consultation which is to take place with the current residents of the site concerning proposed alternative sites and appropriate forms of accommodation explores all relevant issues and identifies the particular needs of each of the residents. Relevant officers from the housing, education and social care and health services should be involved in the process as necessary.

- 9.4 However, any decision taken by the Council must follow proper consideration of the needs of the travellers balanced with the needs of local residents. For this reason, consultation with local residents, as well as consideration of all other relevant considerations, will also be carried out and the outcome of that consultation considered, prior to any final decision being taken on the location of any replacement site.
- 9.5 This consultation must take place on all of the possible options (rather than just giving residents an opportunity to object to a selected option) and the results of the consultation must be properly taken into account before any final decision is taken on the proposals.
- 9.6 Local authorities have a duty to promote good race relations, equality of opportunity and community cohesion in all of their policies and practices. This duty covers all racial groups, including Gypsies and Irish Travellers who are recognised ethnic groups. Planning and site provision are highly relevant to this duty because they impact on race relations generally and on the way in which services are delivered to this group. In developing policy and making decisions, local authorities need to ensure that their actions are consistent with this general duty.
- 9.7 The Council has power under Section 115 of the Highways Act 1980 to provide lorry parking off the highway. However, there is no statutory duty to provide this parking.

Human Rights Implications

- 9.8 Article 8 of the European Convention on Human Rights provides for the protection of the right to respect for a person's home from interference by public bodies, except in accordance with the law and as necessary in a democratic society, in the interest of the economic well-being of the country, protection of health and the protection of the rights and freedoms of others.
- 9.9 In determining the level of permissible interference with enjoyment of these rights, the courts have held that any interference must achieve a fair balance between the general interests of the community and the protection of the rights of individuals. There must be reasonable proportionality between the means employed and the aim pursued. The availability of an effective remedy and compensation to affected persons is relevant in assessing whether a fair balance has been struck.
- 9.10 When the final decisions on sites are taken, consideration will need to be given again to the extent to which the decision may impact upon the human rights of residents and to balance these against the overall benefits to the community which the Lewisham Town Centre development proposals would bring. The decision maker will need to be satisfied that interference with the rights under Article 8 would be justified in all the circumstances and that a fair balance would be struck between the protection of the rights of individuals and the public interest.

10 Environmental Implications

The Condition Survey of the Thurston Road site indicated the urgent need for significant investment. The replacement buildings will be more energy efficient and will reduce fuel demand and costs.

11. Equalities Implications

Travellers are identified as a disadvantaged group and the Council needs to pay careful attention to meeting their needs. The potential of using the Ladywell Centre is not recommended as it would have a serious impact on users of the Centre many of whom are disabled.

The current licensees include a number of older people and six school aged children. The implications for them of moving to an alternative site will need to be taken into account. An Equalities Impact Assessment will be prepared of the available options and the results reported back to Mayor & Cabinet for consideration.

12. Crime and Disorder

Residents tend to perceive that the presence of a Travellers' site will increase crime, although there is no evidence to support this view based on experience with the existing Travellers' Site in Thurston Road.

13. Conclusion

13.1 The report sets out the need to relocate the Travellers currently on the Thurston Rd site and potential alternative sites. It also provides information on earlier consultation on the Ladywell Day Centre site and sets out reasons why this should not be pursued.

13.2 It concludes that there are only two sites potentially suitable for this purpose, the Laurence House Lorry Park and the old Watgate School site in Church Grove. It proposes that consultation should be undertaken with the Travellers and local residents on the use of either of these sites and that further technical work is completed to ascertain the cost implications of each option. Finally, it proposes that the results of this be reported to Mayor & Cabinet on 20 June 2007.

Background Papers

<u>Short Title of Document</u>	<u>Date</u>	<u>File Location</u>	<u>Contact Officer</u>	<u>Exempt Information</u>
Case File	Current	2 nd Floor Laurence House	Alan Davis	No

If you would like further information on this report please contact Alan Davis, Property & Development, on extension 48120