

Dear all,

**Site: Land off Little London Road, Silchester, RG7 2PP**

The Parish Council would like to thank all of those who attended and made representations at the Extraordinary Parish Council meeting held on Tuesday 28th February 2017. The official minutes of the meeting will be published on the Parish Council website shortly but this letter sets out a short synopsis of the key themes discussed.

There were approximately 238 people in attendance at the meeting which indicates the level of interest of the local community. Whilst nobody was deliberately turned away I was told that a number of other people would have liked to attend but turned around at the door when they realised that the hall was full to capacity.

Please accept our apologies to those of you who had to sit or stand in the Club Room and listen to our disembodied voices but it was the only way that we could fit in that many people. We hope you were able to follow the meeting through the microphone system that was rigged up at the last minute (my personal thanks to APS Limited for helping us out on that one).

The Parish Council was genuinely pleased to be able to welcome Joseph Jones from the Gypsy Council as well as three members of the recently arrived traveller community. As Chairman of the meeting, I was very aware that feelings in the room were running very high but we were happy to see that everyone was able to conduct themselves in an orderly manner and we felt that the dialogue between the two communities was constructive. We cannot stress enough how important it is that we resolve this issue through mutual respect, dialogue and engagement.

I'm sure everyone will appreciate that the Basingstoke and Deane Borough Council, as the Local Planning Authority, has obligations and duties towards all communities within their geographical boundaries and are only able to assist the Parish Council with factual information about the Planning and Enforcement process which may affect the existing Parish Community. On this basis the Parish Clerk and I attended the Borough Council Offices on the 28th February to discuss the current position and the process which the Local Planning Authority must follow as well as relevant timescales. We have passed on our thanks to the Borough Council for taking swift enforcement action regarding what they consider as Planning Contraventions.

They were able to mobilise immediately upon receiving the first complaint about the site and the first enforcement officers attended before lunch on the Monday morning immediately following the unauthorised occupation of the site. The following day their legal team applied to the High Court for an injunction to prevent any further hard core or caravans being delivered to the site and this was served to the traveller community on Tuesday evening. In my meeting with the Planning Enforcement Team on Tuesday I pressed them to state their position on the new community. They were, understandably, unable to predict or prejudge the outcome of the legal or planning process.

During the past two weeks many reports of continued deliveries of both hard core and caravans have been made. Some of this evidence was professionally gathered and a report was submitted to the enforcement team for them to review. A number of reports and photos were given to me and anything I received was passed on to enforcement. Whilst I am neither a planning officer nor legally trained, I believe it is fairly incontrovertible from the evidence provided that the injunction has been breached. If the Planning Office agree then I suspect they will return to the High Court for enforcement. You will appreciate that I do not wish to jeopardise any legal process by predicting the Borough's next move within the context of this letter but I am confident that they are doing everything that can be done and are moving things along as fast as they are able. I am told that breaches of the injunction could constitute contempt of court and might ultimately result in imprisonment.

A lot of questions have been asked around why the police are unable to prevent this unlawful activity. The answer to this lies in the difference between criminal law and civil law. This type of planning contravention falls under the category of civil law so any action must first be decided upon by the Court and enforced through Court bailiffs rather than the police.

During the Parish Council Extraordinary meeting itself, I pointed out that a number of additional questions have been raised by members of the community surrounding issues primarily related to other legislation. These include;

1. Encroachment on the SSSI
2. Contamination of the soil through illegal laying of hard core
3. Contamination of Silchester Brook
4. Potential breaches of covenants placed upon the sale of the property
5. Ownership of the track leading down to the site
6. Impact upon Highways
7. Impact upon the AWE
8. Possibility of an electrical hook up having been established
9. The impact upon archaeological remains that have been recently found in Pamber Forest.

I requested that these issues were not discussed during the meeting simply because each would require significant research to determine if any action can be taken. As such, any discussion during the meeting would be inconclusive. The relevant agencies have been informed of the above issues and I believe each of them is considering their position. I requested, instead, that the meeting focus purely on planning matters.

With regards to the way forward for the village, The Parish Council remains convinced that the best option is to go through the planning process, although it might be a long slog. Basingstoke and Deane Borough Council have just gone through a four year re-write of their Local Plan (the strategic plan for all development in the Borough between 2011 – 2029) following it having been rejected through judicial review in 2011/2012. I read a paper recently showing that the Borough has the sixth highest spend in the country on planning applications going to appeal. The paper directly blamed the lack of a Local Plan for this high figure. The recent version of the Local Plan was adopted by the Borough Council in May 2016 and took into account a Gypsy and Traveller Needs Assessment which had been commissioned by the Borough. The plan designates a number of new traveller sites throughout the area (Silchester is not one of these). I believe that the village's most effective course of action will be to hold the Borough to task over these adopted policies.

I am aware that the Borough Council have been busy trying to bring about enforcement and that at least half of the Enforcement Team has been fully occupied with this issue since it started. I think the Borough should be commended for their proactive management of the planning contraventions.

At the time of the Extraordinary General Meeting of the Parish Council an invalid retrospective planning application had been given to the planning department. As with all invalid planning applications, the Planning Department will engage with the applicants to try to gather the relevant information and documentation in order to validate the planning application and allow consideration.

Whilst the Parish Council voted at the meeting to support any activities taken to bring about the removal of the new settlement, the amount of work required is not sustainable at Parish Council level. At the meeting I suggested that the driving force will have to be a residents group (although the Parish Council may be able to assist by liaising between the group and the Borough Council). The nucleus of this group has now started to form and I'm sure there will be further communications with the village shortly. There will undoubtedly be a request for contributions as soon as a bank account is established in order to fund legal and planning advice.

There will be certain touch points in the process at which everyone in the community will be able to voice their opinion if they choose. One of these will be the point at which individuals may wish to send letters of objection to the planning application. A community letter will be distributed to give residents guidance on what issues constitute relevant planning objections and what issues will not be considered by planning. I am assured that, as with all planning applications, all relevant planning objections will be read and given due consideration. Non attributable petitions are not advisable.

Without doubt the most pertinent comment of Tuesday's meeting came from two residents who pointed out that there are around 25 children on the Traveller site and they appealed to both sides to ensure that we don't let any "stereotypical" views of each other's community spill over to our children.

After the meeting on Tuesday, I shared a very cordial beer with the three members of the traveller community that were in the meeting. They assured me that they would make every effort to get on with the settled community and it is to their credit that they offered to make repairs to the verge outside one resident's property where they had caused damaged. Whilst they know that I do not support their actions I gave them my telephone number and asked them to call me should they feel that they are being unfairly treated by local residents and I asked them to assure me that they would pay the local community the same respect....which they did. We agreed that our differences should be settled in the courts and through planning and should not be used to fuel prejudice between the travelling and settled communities. I urge everyone to support this approach.

Simon Mahaffey

Chairman, Silchester Parish Council