

Four Houses Corner Public Consultation – Public Event

Record of Four Houses Corner Public Consultation Meeting held at St.John's Hall Mortimer Dec 11th 2023 6pm onwards.

Members and council officers in attendance:

Cllr Nick Carter Ward Member Burghfield & Mortimer
Cllr Ross Mackinnon Ward Member Bradfield
Nigel Lynn Chief Executive
Bill Bagnell Manager Special Projects
Pierre Vagneur-Jones Housing Development Officer

Public attendance:

38 Members of the public attended, taking part in a question-and-answer session lasting just over two hours.

Key points made by Manager Special Projects at the start of Q&A:

- The Planning Committee can refuse the application on design grounds (is it fit for purpose), but not on the proposed use as a Traveller site.
- Previous residents of Four Houses Corner (FHC) have a legal right to return due to their existing Mobile Homes Act Agreements which have remained in place whilst residents are in temporary accommodation and remain live until they choose to relinquish them.
- 12 of the original residents in whose name the agreements are made have confirmed they will be returning. The council is still waiting to hear from 5 and there are 3 other individuals who qualify as Travellers who have requested to go on a waiting list in respect of Four Houses Corner.
- Proposals will deliver 17 pitches and 17 individual dayroom accommodation blocks.
- A management company will be employed and will visit the site once a week and be responsible for maintaining general order.
- Confirmed that police have both historically and recently consulted on design of the site.
- Proposals do not in any way represent an abnormal or over generous level of provision and that current proposals mirror dayroom accommodation that was previously available on site and that those returning have a legitimate expectation to see that provision replicated.

Summary of key objections, concerns and responses provided by Manager Special Projects:

- Fear that same unmanageable culture will return and that the management company will be ineffective.

Answer: Management will pass to external professionals experienced in managing such sites and that the scope of service to be provided will reflect the concerns raised via this public consultation.

- The high cost to the taxpayer in respect of future management costs.

Answer: If an external management company is not appointed, new full-time staff will need to be appointed to undertake management and thus there will be a cost regardless of how the site is managed. Previously the Council did not have dedicated experienced council officers capable of the responsibility which in part explains how the site progressively degraded over time.

- General anger due to the killing of PC Andrew Harper, as well as previous historic events.

Answer: The council is acutely aware of past dreadful events on the site, but these are not material reasons for preventing reoccupation, that those returning are not in any way guilty of the manslaughter of PC Andrew Harper and that disallowing reoccupation would be the equivalent of preventing people reoccupying authority housing due crimes committed in an area.

- Objection to the amount of money spent on security.

Answer: It was acknowledged these costs are high and would like if possible to implement less expensive means of security. However, it was explained that if people were determined to illegally occupy the site, the only guaranteed way of preventing that is by physical on site 24hr security. Once the site is illegally occupied potentially by people of Traveller status and not former residents of the site, it will be difficult to remove them from what is already an established Traveller site. Potentially this would leave the council needing to find land for the displaced former residents of the site.

- How will Mobile Homes Acts Agreements (MHAs) be enforced? If they break the existing agreements will the offender be moved on?

Answer: It was confirmed that existing MHAs include proportionate measures to terminate a tenancy in the event of consist defaulting on agreement terms. It was confirmed that individuals not qualified to live on the site had been removed in the past by these legal mechanisms. It was explained that existing MHAs can only be changed by agreement between the parties but where new agreements can, if necessary, be made more onerous. Taking action against defaulters will be managed by external professionals with regular experience of handling such events.

- Frustration at the landowner leasing the land to the council.

Answer: It was explained the landowner does have a sense of public duty and is happy to see this site continue to provide Traveller accommodation, providing the site is well managed going forward. It was acknowledged by members of the public the site has been long associated with Travellers predating the current site as built out in 1982.

- Questions around Regulation 3 of the Town and Country Planning Act and the fact that the Council can give itself planning permission.

Answer: It was explained this is not an arbitrary process and a necessary mechanism allowing the council to be a planning applicant in respect of its own schemes and where the council as planning authority is allowed to consider such applications in a fully transparent manner. In the event it proves necessary for a Council to submit a scheme that is not capable, for whatever reason, of complying with planning policy and that scheme is approved at planning committee it will as a matter of course be referred to the secretary of state for potential call-in. To do otherwise will likely result in Judicial Review. It was emphasised that proposals at Four Houses Corner do not contravene policy.

- Objections to possibility that MHAs can be inherited.

Answer: It was confirmed that MHAs are not inheritable and that agreements are specific to individuals which cannot, by whatever means, be passed onto 'related' individuals. On ceasing to occupy a pitch, the agreement falls and anyone moving onto that pitch will only do so after entering into a new agreement which does not have to mirror the previous agreement entered into by the council and previous tenant.

- Concerns that residents not returning to site acquire housing rights.

Answer: It was agreed this needed confirming, but the initial answer was that if a former resident of FHC chooses not to return, they do not by default acquire housing rights above and beyond any other individual seeking to be housed by the local authority; they would have to join a waiting list like anyone else.

- Objection to Emergency Planning Officer not being there.

Answer: It was not necessary for the officer to be present and where the matter will be fully covered by consultation with that officer. It was explained the site's inclusion within the AWE Detailed Emergency Planning Zone (DEPZ) does not mean the site cannot be reoccupied and where the number of pitches being delivered is a decrease and not an increase in number as believed by some. The significance of the site being included within the DEPZ is that those occupying the site are likely to be managed by a pre-agreed emergency management plan in the event of an emergency. Should

proposals be approved at planning, it is likely that permission will be granted on the basis of a condition requiring the emergency management plan being in place prior to the site's reoccupation.

- Concern about one entrance and one exit making it hard for police to escape if needed.

Answer: It was confirmed that Thames Valley Police (TWP) had seen existing proposals with one access in 2018 and have again been reconsulted on the same design via the Planning Case Officer asking for any new comments from TWP. No new comments have been received. It was confirmed that primary concern had been around clear lines of site to all pitches should emergency vehicles enter site and that emergency vehicles should not get trapped in dead-ends. This requirement resulted in the current radial design which has not changed since clear lines of site was requested at initial design stage predating 2018.

- Concern there will be more families on site than there are pitches.

Answer: As before there will be 17 agreements with 17 individuals who are allowed to have with them on site immediate family and dependents. Should an extra family try, by whatever means, to take occupation this will be prevented by both the current designs and the Council's ability to move on any family not covered by one of the 17 MHAs.

- Frustration the council cannot provide exact cost of works.

Answer: The frustration was acknowledged, but it was explained it was important at this stage prior to potential main contractor tendering not to give away too much cost information. It was pointed out that public tenders often quote a budget. It was explained this was not always the case and where a budget is quoted only as a guide and that it was important not to break down estimated construction costs within the current overall budget lest it give away what the council suspects it may have to pay and therefore prejudice any tender process.

- Frustration the council cannot confirm the exact number of caravans returning to site.

Answer: It was confirmed that each pitch is capable of being occupied by upto two caravans but where only one would have the capacity to hook up to foul drainage. It was pointed out that present MHAs allow for permission to be granted for a second caravan to be kept on site but at present those who have that existing permission have either not confirmed they are returning or if they are returning they will do so with two caravans. For these reasonable reasons it was not possible to confirm now exact numbers. Any unauthorised caravans on site, if not removed, will result in action being taken against that family under the existing terms of MHAs and any new MHAs for new residents taking up residence.