

## **Regeneration, Culture and Environment Overview and Scrutiny Committee**

**13 August 2026**

### **Call-in: Provision for Gypsy and Traveller Accommodation**

Report from: Adam Bryan, Director of Place

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#### **Summary**

This report advises the Committee of a notice of a call-in received from six Members of the Council regarding the Cabinet decisions made on 4 August 2026 on provision for Gypsy and Traveller accommodation.

#### **1. Recommendation**

- 1.1. The Committee is asked to consider the called-in Cabinet decisions (decision numbers **107/2026 and 109/2026**) and decide either to:
  - 1.1.1. accept the Cabinet decisions and therefore take no further action **or**;
  - 1.1.2. refer the decisions back to Cabinet for reconsideration, setting out the reasons for the referral back **or**;
  - 1.1.3. refer the decisions to full Council for consideration.

#### **2. Budget and policy framework**

- 2.1. In accordance with Chapter 4, part 5, paragraph 15.3 of the Constitution with regard to decisions, Cabinet decisions 107/2026 and 109/2026 have been called-in to this Committee by six Members (from the Conservative Group) of the Council.
- 2.2. This item has been circulated separately to the main agenda. The Chairperson of the Committee is of the opinion that it should be considered at this meeting as a matter of urgency as permitted under section 100B of the Local Government Act 1972 to enable the Committee's consideration of the call-in at the earliest opportunity, taking into account the timing of the call in, which was received just prior to Agenda publication and facilitating this at a scheduled meeting of this Committee.

### 3. Background

- 3.1. The Cabinet considered a report (attached at Appendix 1) at its meeting held on 4 August 2026 which set out the proposed steps to address the needs for Gypsy and Traveller accommodation in Medway. The report stated that the submission version of the Medway Local Plan 2041 does not meet the full needs of the Gypsy and Traveller and Travelling Show People. Published correspondence between the Council and the inspectors, appointed to examine the Plan, sets out actions for the Council to identify a sufficient supply of land to meet needs.
- 3.2. The report stated that the Council has confirmed that it will carry out actions to seek to increase certainty on meeting the identified needs for this specialist accommodation through the Plan. This is critical to the timing and progress of the Local Plan.
- 3.3. The Council has reviewed land in its ownership to identify further capacity for Gypsy and Traveller accommodation. It is also held a 'Call for Sites' to identify if there is suitable land in other ownership.
- 3.4. As part of the review of Council owned land, the Cabinet report proposed options and recommendations for the future use of the former Park & Ride Car Park site in Maidstone Road, Wigmore (referred to in the report as the 'Wigmore Site').
- 3.5. The Cabinet report also included an exempt appendix (Exempt Appendix C to Appendix 1) which provided details of the financial appraisal and cash flow modelling undertaken noting that it is recognised nationally that the cost of developing Gypsy and Traveller sites is disproportionately high meaning they are financially challenged from the start.
- 3.6. An addendum report (Appendix 2) was also published as part of the Cabinet agenda, this provided additional recommendations and information relating to the outcome of the call for sites for Gypsy and Traveller and Travelling Showpeople.
- 3.5. Following consideration at its meeting on 4 August 2026, the Cabinet's decisions were as follows:

#### **Provision for Gypsy and Traveller Accommodation**

***Decision Decision:  
number:***

**The Cabinet noted the work that had been carried out to identify additional options for Gypsy and Traveller sites; to provide greater certainty that the Local Plan would meet needs.**

**107/2026 The Cabinet agreed to proceed with Option 3 for the future provision and use of the Wigmore Site as set out in section 5.8 of the report: to develop and improve the site**

as a permanent Council managed Gypsy and Traveller site to provide a good quality, compliant site for 10 touring caravans over 8 pitches, with approval to explore the provision of a second phase in future years. The second phase would expand the site into adjacent land as set out in Appendix B to the report and provide an additional 6 pitches to meet increasing future need, subject to the budget addition below (Decision 108/2026), required to deliver the second phase.

**108/2026** The Cabinet agreed to recommend to Council to add £2,684,000 to the Capital Programme (funded by prudential borrowing) to deliver the initial proposals set out in the recommended Option 3.

The Cabinet noted the outcome of the Call for Sites exercise and review of Council owned land in its consideration of the options for the former Wigmore Park and Ride site.

**109/2026** The Cabinet agreed to support a proposed minor modification to the Local Plan policies map to clarify the existing and consented gypsy and traveller sites to be safeguarded in accordance with policy T10 in the submitted draft Medway Local Plan.

#### **Reasons for decision:**

The decisions in this report are required to ensure progress and adoption of the Local Plan and for the Council to meet the identified accommodation need for the provision of Gypsy and Traveller sites in Medway.

3.6. Decision numbers **107/206** and **109/2026** were subsequently called in by six Members of the Council from the Conservative Group. The reasons for the call in are as follows:

- 1. Lack of public consultation.**
- 2. Cost and capital requirement.**
- 3. Appropriateness of the land for allocation as a gypsy and traveller site.**
- 4. Political expediency around the proposals and consideration of other options.**

3.7. Please note that **only** Cabinet decisions can be called in. Therefore, decision no. 108/2026 is scheduled to be referred to full Council on 15 October 2026 for consideration. In addition, issues for noting only (these do not have a decision number) cannot be called in either.

#### 4. Director of Place's response to the call-in

- 4.1 The site was the subject of a planning application for a change of use to Gypsy and Travellers site (reference MC/24/1038). That application was subject to public consultation in the usual way. The application was refused on 15 July 2024 but was the subject of an appeal to the Planning Inspectorate. As part of that appeal process, anyone who had made comments on the application would have been notified of the appeal and given the opportunity to make further comments. All comments received on the application itself would have been forwarded to the Inspectorate for consideration. The appeal was allowed on 28 May 2025 - see attached decision notice (Appendix 3). In planning terms, the site can continue to be used for Gypsy and Travellers in accordance with that decision. Notwithstanding the decision, the Council's proposal for the site would seek improvements to what has been allowed on appeal, and this would require the submission of a further planning application which again will be the subject of public consultation.
- 4.2 The costs and capital ask are indicative costs based on the initial designs (provided by HMY Architects) and the potential build and long term management and maintenance of the site. The site has been identified as a low void site due to the current occupants and general stability of local authority sites, which supports the income levels the site is expected to generate (approximately £1,300 per week, with annual increases in line with inflation, compared to the current £275 per week). The weekly charges will not include utilities as these will be charged directly to the occupants. Assumptions have been made on capital works based on current expenditure on Housing Revenue Account (HRA) properties and the existing Cuxton site. These costs will be reviewed and re-examined as the project progresses to ensure value for money. All avenues of grant funding are being considered, including Homes England, Social and Affordable Homes Programme (SAHP) and Brown Land Release Fund (BLRF), through the Government's One Public Estate. The Council has had a number of bids to both grants accepted with positive financial outcomes.
- 4.3 The site has planning permission for use as a Gypsy and Traveller site following an appeal decision (referred to above, MC/24/1038). In his decision, the Inspector made the comment in paragraph 14 that the Council has an identified need for 56 Gypsy and Traveller pitches but has no allocated sites. As such, the Council cannot demonstrate a five-year supply of deliverable sites and therefore paragraph 11(d) of the National Planning Policy Framework (NPPF) applies. That means that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In paragraph 21, in conclusion to the section on character and appearance, the Inspector comments that "its use as a site for gypsy and/or travellers would cause no undue harm in character and appearance terms". In relation to living conditions, which related to occupiers due to proximity to the motorway, the Inspector concluded (para 26) that, subject to a condition, adequate living conditions could be secured. In para 32 the Inspector is clear that, in his view, the Council needs to identify sites in

the Local Plan rather than rely purely on expansion of existing sites and, in his view (para 33), the Wigmore site is suitable for gypsies and/or travellers on a permanent basis. Notwithstanding these clear conclusions, the Inspector also considered the personal circumstances of the families on site (para 34-38) and clearly states that even if he had found harm (which he did not) that he would still have allowed the appeal due to the personal circumstances of the families living there.

## 5. Monitoring Officer's and Section 151 Officer's response to the call-in

- 5.1. The report to Cabinet provides details of the decisions taken by the Cabinet and further details on the rationale.
- 5.2. The Council's policy framework is defined in paragraph 4.1a of Article 4 of the constitution. Unless and until Council approves the addition to the capital programme, this scheme cannot progress as the expenditure does not fall within the capital budget agreed by Council in February 2026. Furthermore, if the addition is agreed, funded from borrowing, then there will be implications for the Council's revenue budget, which would also fall outside the 2026/27 revenue budget agreed by Council and therefore Full Council would need to be requested to approve an addition to the revenue budget or the Director would need to be instructed to identify a suitable source of virement. These costs are estimated at around £150,000 per annum.

## 6. Options

- 6.1. The options open to this Committee in dealing with this call-in are to:
  - a) to consider the matter and accept the Cabinet decisions, or;
  - b) ask Cabinet to reconsider its decisions if Members have concerns about it/them (setting out in writing the nature of any concerns), or;
  - c) refer the matter to full Council for consideration.
- 6.2. In accordance with rule 15.8 of the Constitution, to avoid the possibility of very many emergency Council meetings, Overview and Scrutiny Committees should normally only use the power to refer a matter to the full Council if it considers either:
  - a) that the decisions are contrary to the policy framework (i.e. those policies and plans listed in Article 4.1 of Chapter 2 of the Constitution) or contrary or not wholly in accordance with the budget;
  - b) where a request for call-in is signed by six or more members representing at least two political groups.
- 6.3. If the Committee considers the Cabinet decisions are, or would be, contrary to the policy framework or not wholly in accordance with the Council's budget, then it must first carefully consider the advice from the Monitoring Officer

and/or Chief Operating Officer. If the officer advice is that the decisions taken by Cabinet are within the policy framework or budget, and this is accepted by the Committee, then a referral to full Council, on these grounds, would not be possible. As referred to in section 5 above, the Monitoring Officer and the Chief Operating Officer have confirmed that the decision(s) taken by Cabinet set out in paragraph 3 above are not contrary to the Council's budget or policy framework.

- 6.4. In the event of a referral to full Council for reasons relating to the budget or policy framework, Cabinet will then meet to consider the views of the Monitoring Officer and/or Chief Operating Officer, together with the views of the Overview and Scrutiny Committee. Having considered these views, Cabinet will decide what action to take and prepare a report for Council.
- 6.5. When the full Council meets following such a referral, it can decide:
  - a) that the Cabinet decisions falls within the existing budget and policy framework, in which case no further action is required, or;
  - b) to amend the Council's budget or relevant policy framework document to encompass the decisions, in which case the Cabinet decisions takes effect immediately and no further action is required, or;
  - c) to accept that the decisions are outside the policy framework or budget, in which case Cabinet must reconsider the matter taking into account the views of Full Council and take decisions which are in accordance with the advice of the Monitoring Officer/Chief Operating Officer and which comply with the budget and policy framework.
- 6.6. When the full Council meets following a referral on other grounds then it can decide:
  - a) to accept the Cabinet decisions and therefore take no further action (in which case the decision will become effective on the date of the full Council meeting) or;
  - b) refer the decisions back to Cabinet for reconsideration, setting out the reasons for the referral back.

## 7. Risk management

- 7.1. Risk management is addressed in section 7 of the Cabinet report attached at Appendix 1.

## 8. Climate change implications

- 8.1 The climate change implications in relation to the Cabinet decisions are set out at section 9 of the Cabinet report attached at Appendix 1.

## 9. Financial implications

- 9.1. The financial implications in relation to the Cabinet decisions are set out at section 10 of the Cabinet report attached at Appendix 1.

## 10. Legal implications

- 10.1. The legal implications in relation to the Cabinet decisions are set out at section 11 of the Cabinet report attached at Appendix 1.
- 10.2. In accordance with Chapter 4, part 5, paragraph 15.3 of the Constitution, six members of the Council may call in a decision for scrutiny by the relevant Overview and Scrutiny Committee. Call-ins must be dealt with in accordance with Rule 15 of the Overview and Scrutiny Rules and Rule 7 of the Budget and Policy Framework Rules, set out in the Constitution.

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### Appendices

Appendix 1 – Cabinet report and appendices 4 August 2026 (Exempt Appendix is attached as Appendix 4)

Appendix 2 – Cabinet addendum report 4 August 2026

Appendix 3 – The Planning Inspectorate Appeal Decision (hearing held on 28 May 2025)

Appendix 4 – Exempt Appendix C to Appendix 1 above

### Background papers

None