Monmouthshire Select Committee Minutes

Meeting of Place Scrutiny Committee held at Council Chamber, County Hall, The Rhadyr USK on Wednesday, 24th July, 2024 at 4.30 pm

Councillors Present	Officers in Attendance
County Councillor Jane Lucas (Chairman) County Councillor Lisa Dymock (Vice Chairman) County Councillors: Louise Brown, Lisa Dymock, Jackie Strong, Laura Wright, Tudor Thomas, John Crook, Paul Griffiths, Simon Howarth, Richard John, Phil Murphy and Frances Taylor, substituting for Maria Stevens, Richard John, substituting for Tomos Davies and Simon Howarth, substituting for Emma Bryn A number of public speakers were in attendance including Lynne Garnett from Travelling Ahead Also in attendance County Councillors: Paul Griffiths, Cabinet Member for a Sustainable Economy, Phil Murphy and Frances Taylor	Hazel Ilett, Scrutiny Manager Robert McGowan, Policy and Scrutiny Officer Frances O'Brien, Chief Officer, Communities and Place Mark Davies, Highway Development Manager Rachel Lewis, Planning Policy Manager Huw Owen, Principal Environment Health Officer (Public Health) Kate Stinchcombe, Biodiversity & Ecology Officer Philip Thomas, Development Services Manager Daniel Hulmes, Biodiversity and Ecology Officer Ben Thorpe, Development Surveyor

APOLOGIES: County Councillors Emma Bryn, Maria Stevens and Tomos Davies

1. **Declarations of Interest**

   Councillor Crook declared a non-prejudicial interest in the Langley Close site, Magor.

2. **Public Open Forum**

   A number of public speakers delivered remarks to the committee. The majority of speakers expressed concerns about the suitability of Bradbury Farm for Gypsy and Traveller accommodations, citing issues such as noise pollution, land contamination, concentration of sites and lack of amenities.

   The historical significance of the area and potential ecological impacts, including the presence of protected species, were highlighted as reasons against the development of certain sites.

   The lack of safe access and egress, especially for large vehicles, and the absence of nearby amenities were mentioned as challenges for the proposed Bradbury Farm.

   There were criticisms of the consultation process, with some feeling that it did not adequately consider community feedback or engage effectively with the Gypsy and Traveller community.

Suggestions were made for exploring alternative solutions, such as collaborating with neighbouring authorities, enhancing existing sites with Welsh Government funding, and reconsidering the selection process for new sites.

There were also representations in support of Bradbury Farm, and expressing solidarity with the Gypsy, Roma and Traveller community.

In addition, there were a number of statements about the unsuitability of Langley Close. These statements aligned with the reports' recommendation that Langley Close should be removed from the site identification process.

3. Proposals for Gypsy and Travellers

Local Ward Members Lisa Dymock, Phil Murphy and Frances Taylor addressed the committee.

Councillor Dymock:

Councillor Dymock expressed concerns about the suitability of proposed sites for Gypsy and Traveller accommodations, highlighting issues such as noise pollution, land contamination, and lack of amenities. She raised concerns about the concentration of three of these sites being located all within one mile and concerns around the dual site proposal and the many challenges that creates. She emphasised the historical significance of the area and potential ecological impacts, including the presence of protected species, as reasons against the development of certain sites. She mentioned the lack of safe access and egress, especially for large vehicles, and the absence of nearby amenities as challenges for the proposed sites.

Councillor Dymock criticised the consultation process, arguing that it did not adequately consider community feedback or engage effectively with the Gypsy and Traveller community, and expressed disappointment at the timing and the way information was presented to the public.

She suggested exploring alternative solutions, such as collaborating with neighbouring authorities, enhancing existing sites with Welsh Government funding, and reconsidering the selection process for new sites. The reliability and transparency of the RAG ratings and the rationale for accepting or rejecting certain sites was questioned, and she emphasised the need for a transparent and inclusive process that takes all stakeholders along the journey. Councillor Dymock proposed that the committee recommend Option 4.

Councillor Taylor:

Councillor Taylor supported the report's recommendation to remove Langley Close from the Gypsy and Traveller site identification process due to its unsuitability based on noise, land contamination, and other additional material planning considerations.

Councillor Taylor stated that she considers Langley Close to be completely unsuitable and could not agree with the comment in the report that it was 'less suitable.' Councillor

Taylor asked that the term be replaced with ‘unsuitable’ to reflect the material findings, evidence from public consultation and site investigation surveys which she stated indicate that the site is entirely unsuitable.

Councillor Taylor highlighted that the noise assessment shows there is a ‘high’ risk of noise adversely impacting the northern part of the site, whilst the rest of the site would be subject to a ‘medium’ risk of noise adversely impacting the site. She stated, however, that it is important to note that this guidance is intended primarily to deal with dwellings which are constructed from bricks and mortar. Mobile homes provide significantly lower levels of sound attenuation between the exterior and interior.

The location of the developable area, referred to as NEC B, (subject to mitigation measures) would have an impact on the layout and size of the proposal which would further constrain the developable area and present design issues. This is likely to be further compounded by the likely presence of ‘made ground’, as identified by the land contamination survey.

She asked that the committee support Langley close’s removal and agree that the site is not simply ‘less suitable’ but ‘unsuitable’. She advised that it was important to note that the independent noise and contamination findings would likely preclude the site from attracting Welsh Government funding for site development.

Councillor Murphy:

Councillor Murphy expressed concerns about the suitability of proposed sites for Gypsy and Traveller accommodations, highlighting the impact on the Crick community and the unsuitability of the sites due to various factors such as noise, land contamination, and lack of amenities. He mentioned that Crick already has two sites, and adding another would disproportionately affect the community. He also noted the potential impact on property values and the community's quality of life.

Councillor Murphy also pointed out the lack of safe access and egress, especially for large vehicles, and the absence of nearby amenities as challenges for the proposed sites. He suggested that the Council should identify a more suitable site, therefore recommending option four.

Presentation of the report:

Cabinet Member Paul Griffiths introduced the report. He highlighted the Council's legal duty to provide land for Gypsy, Roma, and Traveller residents and mentioned the ongoing efforts since 2018 to identify suitable sites. He emphasised the thoroughness of the search for suitable locations, with an assessment process of over 1500 sites, and noted that the assessed need for pitches has decreased from 13 to 7, due to planning consents gained elsewhere.

Councillor Griffiths recommended Bradbury Farm as the most suitable site among those considered, citing the potential for noise mitigation and integration with a strategic residential development, and stressed the importance of master planning –in the context of the Replacement Local Development Plan (RLDP) and strategic sites – to achieve both separation and accessibility for Traveller families, suggesting that this can

be effectively managed within the larger strategic site development. Bradbury Farm, therefore, would not be developed in isolation.

He noted that a future planning application would provide an opportunity to assess the detailed plans for noise mitigation, landscaping, and layout, ensuring the site's suitability.

Councillor Griffiths answered the members' questions with Frances O'Brien and Ian Bakewell.

Key points raised by Members:

- Clarifying whether flooding was a concern in relation to the Bradbury Farm site – officers confirmed that the site is not identified within the flood zone.
- Suggestion that that Bradbury Farm is a bit of a misnomer and might be contributing to confusion around the site location.
- Recognising the need to look not just at the 7 pitches, but the whole of the RLDP and the strategic plan.
- Noting that caution is needed regarding landscaping and noise mitigations.
- Observing that, by analogy, when the Elder Wood estate was first proposed it didn't look like a viable site but through Planning and development it was brought up to standard.
- Regarding infrastructure, recognising that NHS dentists and GPs need to be in place, as they are already oversubscribed in Severnside.
- Given the progress of the site at Llancayo, members asked if there are other existing private sites that could similarly be given consent, and therefore reduce the overall pitch need.
- Expressing disappointment that evidence regarding Langley Close and Oak Grove Farm local ward members hadn't been consulted on the report.
- Several members proposed Oak Grove Farm and Langley Close be withdrawn from the process completely, by being designated as 'unsuitable' rather than 'less suitable', to ensure that they cannot later be reinstated as candidates.
- Asking if the RLDP was fully explained during the consultation and what the evidence is for that. Display boards at the consultation drop-ins reflected this.
- Seeking confirmation that if the site goes in the Deposit Plan but is then found to be more unsuitable, it will be removed from consideration.
- Expressing concern about the lack of a footpath on a narrow, derestricted road.
- Asking why the RAG rating for Bradbury Farm's proximity to existing schools is Green, when Archbishop Rowan Williams school is oversubscribed, noting that although money has been made available through Section 106 funding to increase capacity, that money has not yet been allocated.
- Expressing concern about the use of a greenfield site, asking if there are post-industrial sites that could be considered, and whether they have been adequately explored.
- Doubting that Bradbury Farm will deliver on the Gypsy, Roma and Traveller community's wish to be detached from the settled population.
- Expressing concern about putting forward a site for further consideration for the RLDP if later it doesn't qualify for a Wales Government capital grant, and the resultant risk to taxpayers.

- Clarity was sought regarding the RAG rating, as Bradbury Farm has more red and yellow than sites that are recommended for removal from consideration.
- Arguing that duty of care means finding the most suitable site, and that Council will be failing the Gypsy, Roma and Traveller community if sites are forced through that aren't suitable.
- Given that the need has been reduced from 13 pitches a year ago to 7, asking how confident the Council can be that there aren't other existing sites that are suitable for expansion to further reduce the number from 7.
- Several members expressed their confidence in the process as laid out by the Cabinet Member, agreeing that it isn't possible to find a 'perfect' site, and arguing that Bradbury Farm satisfies the Council's duty and responsibility to provide suitable sites for the Gypsy, Roma and Traveller community.
- Asking if any consideration has been given to employment sites, rather than just residential sites. The Cabinet Member advised that all Council land of all uses had been considered.
- Several members expressed concern that there has been limited feedback from the Gypsy, Roma and Traveller community. It was recognised by officers this is important and is an ongoing consideration. The Council will continue to use Travelling Ahead as a critical friend and aims to set up pitch waiting list which will provide further information about the preferences of households.
- Asking if it was made clear in the consultation that there would be residential accommodation next to Bradbury Farm, and if that consultation response could be clarified.
- Asking if everyone was aware that an active travel route would be put through the sites, from the new houses to the Gypsy, Roma and Traveller site.

4. Next Meeting: 3rd September 2024 (Special) and 10th October 2024.

5. Exclusion of the Press and Public

The meeting went into closed session, in order to discuss authorised and unauthorised sites in which confidential information might be disclosed. Part 4 of Schedule 12A of the Local Government Act 1972 (paragraphs 12 to 18) can enable the exclusion of the press and public for the discussion of exempt information, providing that an officer has made an assessment that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. The Chair asked the report author to make an assessment of the public interest and to advise the committee on the basis for the exemption.

The officer advised that the relevant paragraphs for exemption under Local Government Act, Schedule 12A, Part 4 were paragraphs 12 - information relating to a particular individual, 13 – information which is likely to reveal the identity of an individual and 14 – information relating to the financial or business affairs of any particular person (including the authority holding that information). The Chair asked the committee if they accepted the basis for the exemption and a vote took place with all members in agreement. A short break took place whilst the press and public were asked to leave the meeting.

Chair's Summary and formal outcome of the scrutiny:

Thanks were given to the Cabinet Member and officers. Each member present expressed their deep appreciation especially to the members of the public for their contributions and time.

Five Members recommended that the Cabinet proceed with Option 4. The reasons given were that members felt that sites were unsuitable, there would be a concentration of sites in a small hamlet and that there is a need for more exploration of private sites and greater detail required on the revenue costs. The members who recommended Option 4 felt that Langley Close as a potential site should be removed.

Four Members recommended that Option 1 be taken forward, the reasons being that they felt the explanation had been extensive, their questions had been answered and that there was a need to meet the legal responsibilities in terms of Gypsy and Romany Travellers. Two of the Members who recommended Option 4 also felt that Langley Close should be removed.

The committee's formal recommendation to Cabinet was therefore Option 4: to withdraw all three sites for development as Gypsy, Roma and Traveller sites.

6. Next Meeting

3rd September 2024 (Special) and 10th October 2024.

The meeting ended at 8.01 pm.