

SUBJECT:	GYPSY & TRAVELLER UPDATE – MEETING IDENTIFIED PITCH NEEDS
MEETING:	ADULT SELECT COMMITTEE
DATE:	21ST SEPTEMBER 2021
DIVISION/WARDS AFFECTED:	ALL

1. PURPOSE:

- 1.1 To update Members regarding the facilitation of pitch requirements as identified by the Council's Gypsy & Traveller Assessment 2020.

2. RECOMMENDATIONS:

- 2.1 To remind the Committee of the need identified by the Gypsy & Traveller Assessment, adopted by Cabinet in January 2021.
- 2.2 To consider the legal responsibilities of the Council and the steps being taken to meet the responsibilities according to the identified pitch need for Monmouthshire.
- 2.3 To consider the steps required to identify pitch provision in order to meet the identified need and to agree to receive a further Committee report on 9th November 2021, which will detail a short-list of potential sites. This has been submitted to Welsh Government and their approval is awaited.
- 2.4 To agree the continuation of Scrutiny Workshops which will engage members in potential site assessment and evaluation.
- 2.5 To consider and comment on proposed Site Evaluation Criteria.

3. KEY ISSUES:

- 3.1 The Council has a legal duty under Part 3, Housing (Wales) Act 2014 to undertake a Gypsy & Traveller Assessment every five years and where assessments identify an unmet need for mobile home pitches, Councils must make the necessary pitch provision. The most recent Assessment was adopted by Cabinet on 6th January 2021.
- 3.2 The Assessment was undertaken independently on a sub-regional basis, on behalf of Monmouthshire, Blaenau Gwent and Torfaen County Borough Council's.
- 3.3 The summary conclusions of the most recent Assessment are:
- There is an unmet need for nine pitches for the assessment period 2020 to 2025;
 - Beyond 2025, there is a further unmet need of four pitches over the remaining length of the Replacement Local Development Plan (2026-33).
- 3.4 Of the above thirteen, it may be possible to accommodate one family's need for an additional pitch within their current privately owned site, subject to acquiring planning permission for an additional pitch. Officers will shortly visit this household to discuss the situation. If this idea is workable and planning permission is granted, this effectively reduces the pitch requirement to 12.
- 3.5 The Council is required to meet this identified pitch need, which is being factored into the Replacement Local Development Plan. This unmet need can be met either by

facilitating households (who possibly may own or wish to purchase land to meet their own needs) through planning permission. Or alternatively, through the provision of public Council owned site(s).

3.6 The Council is adopting the following approach in making provision for the unmet need for mobile home pitches:

- An officer Gypsy & Traveller Working Group has been established which includes officers from Housing & Communities, Planning and Estates. Scrutiny Workshops have also been established under the leadership of the Adult Select Committee and are open to all elected members. For the purpose of continuity, members are being asked to review and agree their terms of reference: **See Appendix One**
- Officers are currently undertaking a 'sifting' exercise to review and appraise all Council owned land to identify the potential for use as Gypsy & Traveller sites. **See Appendix Two** which details the Evaluation Criteria
- As the next stage of evaluating potential sites, officers to convene a Scrutiny Workshop in October 2021 to share and discuss an initial short-list of possible sites.
- Although the site identification process isn't at this stage, but there may possibly a need to also consider leasing or purchasing land in order to meet the responsibility.
- For the Adult Select Committee to receive and consider the findings of the site identification exercise on 9th November 2021 and to make recommendations to Cabinet.
- The identified sites could then be included in the Deposit LDP for consultation alongside all other proposed allocations for development.

4. **EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):**

4.1 There are no negative implications with this proposal. **See Appendix Three**

5. **OPTIONS APPRAISAL**

5.1 An appraisal of the options is not relevant to this report as the Council has a legal duty to undertake this exercise.

6. **REASONS:**

6.1 Under Part 3, Housing (Wales) Act 2014, the Council is required to undertake a Gypsy and Traveller accommodation assessment and to make provision for sites where the assessment identifies an unmet need for mobile home pitches.

6.2 Whilst not directly applicable to this report, it is appropriate that the Committee is also aware that the Housing (Wales) Act 2014 homeless legislation places statutory duties on Local Authorities in respect of homeless Gypsy & Traveller households or those threatened with homelessness.

7 **RESOURCE IMPLICATIONS:**

7.1 There are no specific resource implications relating to this status report.

7.2 There will, however, be resource implications associated with any public site provision. For example, this could include foregoing a capital receipt, design costs, construction and maintenance of a potential site in order to address the current unmet needs. Welsh Government capital funding is available for actual site development only, which would

need to be applied for. Resource implications will therefore need to be considered on a site by site basis in due course.

8. CONSULTEES:

Cabinet Member for Community Wellbeing and Social Justice; Enterprise DMT; Team Manager – Travelling Ahead Gypsy, Roma, and Traveller Advice & Advocacy Service

9. BACKGROUND PAPERS: None

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Appendix One

Gypsy & Traveller Scrutiny Workshops

Terms of Reference:

To support the Council to meet its responsibilities under Part 3, Housing (Wales) Act 2014 in making provision for sites where the Council's Gypsy & Traveller Assessment identifies an unmet need for mobile home pitches.

Working Arrangements:

1. Scrutiny Workshops are established by members and officers in agreement and have clear terms of reference. Topics chosen must add to the strategic direction of the council and deliver added value.
2. Workshops enable the review and development of council policy, allowing elected members to set the direction and officers to deliver the actions.
3. Scrutiny Workshops to be chaired by the Select Committee Chair.
4. The Scrutiny Workshops are open to all elected members.
5. Workshops are convened as necessary, with a specific theme for each session. Each workshop will have a clear objective and a clear outcome.

Key Actions:

6. To liaise with officers implementing Welsh Government Guidance:
 - Undertaking Gypsy & Traveller Accommodation Assessments
 - Designing Gypsy and Traveller Sites
7. To contribute to the development of site identification criteria for the Council in liaison with officers.
8. To implement the site identification criteria in discussion with officers.
9. To consider any feedback and information that may be available from Gypsy & Traveller households or Gypsy & Traveller Advocates eg Travelling Ahead.
10. To have regard to Welsh Government related Gypsy & Traveller Guidance
11. To provide feedback and comments to Adults Select Committee to enable the Committee to make a recommendation on potential sites to Cabinet.

Appendix Two

Gypsy and Traveller Site Criteria - 2021-08-19

WG Designing G&T sites guidance May 2015

- Line of best fit (may be that no sites fit the guidance)
- Access – public roads and footpath, access to public transport ideal
- Suitability – site surveys of drainage, flooding (C2 and greenfield C1 ruled out due to justification test), contamination (is remediation work viable?)
- Services – reasonable distance education, shops, and services. Learner Travel (Wales Measure) 2008.
- Environment – away from hazards e.g., river, canal unless mitigation measures; industry and major roads needs careful consideration re noise and air quality – may need mitigation
- Utilities – water, electricity, sewage, refuse etc all required.
- Sustainability – long term (21 years) use

MCC guidance for last Local Development Plan

- Suitable for bricks and mortar residence
- Access to services
- Opportunity to mix cohesively with neighbouring communities
- High health needs of G&T families
- Opportunities to grow
- Site and Access – amenity blocks, parking provision, pedestrian access, drainage, utilities, fire safety (spacing), play area
- Greenfield/brownfield
- Access to shops, education, public transport

Revised Criteria for 2021:

Initial Sift Criteria:

- 1) Site size (below 500sqm per pitch)
- 2) Flooding – C2 or greenfield C1
- 3) Existing playspace – play area or sports pitch
- 4) Topography

Other criteria:

- 1) Access (hazardous access that cannot be overcome is a deal breaker) (site specific checks later)
- 2) School proximity (state distance to nearest primary and secondary schools)
- 3) Medical facility proximity (state distance to nearest GP surgery)
- 4) Other amenities (e.g., shops) proximity (state distance to nearest Main Town, Severnside Settlement or Rural secondary Settlement as identified in Sustainable Settlements RLDP Paper)
- 5) Public transport proximity and frequency (state)
- 6) Greenfield/brownfield (state)
- 7) Phosphates and drainage (state if in phosphate problem catchment area)
- 8) Heritage designations (LB, Con Area, Historic Park & Garden, ASA and SAMs) (state if within and what the designation is, state what is within 500 metres of the site)
- 9) Landscape designation (e.g., NP, AONB)
- 10) Landscape sensitivity (state classification on Landscape Sensitivity Study)
- 11) Ecology (state if within SSSI or SINC or SAC or RAMSAR or National/Local Nature Reserve, note if within 500 metres of one of these designations)
- 12) Other recreation/amenity designation (state if within retained DES2 land, current green wedge, likely greenbelt)
- 13) Mineral safeguarding (state if within current safeguarding area)

- 14) Occupier amenity – away from bad neighbours (distance from dual carriageway road, trunk road, motorway, railway, industrial estate)
- 15) Contamination (viability of remediation) (state from MonMaps)
- 16) Ability to provide utility infrastructure (complete later)
- 17) Permanency (21 years+) (later)
- 18) Scope for future expansion if needed (later)