

<b>SUBJECT:</b>	<b>PROPOSED APPROACH – GYPSY &amp; TRAVELLER SITE SELECTION</b>
<b>MEETING:</b>	<b>PEOPLE SCRUTINY COMMITTEE</b>
<b>DATE:</b>	<b>20<sup>TH</sup> July 2022</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>ALL</b>

**1. EXECUTIVE SUMMARY AND PURPOSE:**

- 1.1 The Council has a statutory duty under the Housing (Wales) Act 2014 to make provision for sites for Gypsies, Travellers and Travelling Show people where there is an identified need. The 2020 Gypsy & Traveller Accommodation Assessment identified a need for nine pitches by 2025 and a further four pitches by 2033 (the Replacement Local Development Plan period). The Council needs to identify and provide sites to meet the identified need. These sites should be included in the PLDP.
- 1.2 The purpose of the report is for the People Scrutiny Committee to consider a proposal for assessing the suitability of Council owned land for the potential purpose of addressing the Council's statutory obligation, to meet the identified need for Gypsy and Traveller sites.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee agrees to include Gypsy & Site identification into the Committees work programme and participates in Officer-led workshops.
- 2.2 That the Committee scrutinises the proposed methodology for identifying and evaluating Council owned land for the purpose of providing a Gypsy & Traveller site.
- 2.3 That the Committee invites Travelling Ahead - Gypsy, Roma and Traveller Advice & Advocacy Service to support the Council with the agreed approach.

**3. KEY ISSUES:**

- 3.1 All Council's in Wales have a duty under Part 3, Housing (Wales) Act 2014 to undertake a Gypsy & Traveller Assessment every five years. Where an unmet need for mobile home pitches is identified, the necessary pitch provision needs to be made. The most recent Assessment was adopted by [Cabinet](#) on 6<sup>th</sup> January 2021.
- 3.2 The summary conclusions of the most recent Assessment are:
- The assessment finds that there is an unmet need of nine pitches under 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).
- 3.3 The Council is now required to meet this identified pitch need, which also needs to be factored into the Replacement Local Development Plan. 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 pitch(s).
- 3.4 Of the above thirteen, it is proposed that one pitch is facilitated by supporting a private household with acquiring planning permission for an additional pitch on their existing site. This effectively reduces the pitch requirement to twelve.

3.5 The Council has adopted the following approach to making provision for unmet need for mobile home pitches:

- An officer Gypsy & Traveller Working Group has been established which includes officers from Housing & Communities, Planning and Estates.
- Officers have undertaken an initial high level 'sifting' exercise to review and appraise **all** Council owned land for potential use as Gypsy & Traveller sites.

3.6 The next step is to continue to sift and refine the sites identified to date to effectively create a short-list applying agreed and approved criteria.

3.7 The proposed procedure is detailed in **Appendix One**

#### 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 Two.** Indeed, the proposal has positive impacts in terms of meeting housing duty for recognised ethnic group, social justice, a home and therefore access to health and education services.

#### 5. **OPTIONS APPRAISAL**

5.1 The following options are available:

Option	Benefit	Risk
<b>Option 1:</b> The <u>recommended option</u> is to agree the proposed process for identifying MCC owned land for the purposes of establishing a G & T Site	<ul style="list-style-type: none"><li>• This supports and aligns with the Council's broad responsibilities to meet and address identified needs.</li></ul>	<ul style="list-style-type: none"><li>• No risks identified.</li></ul>
<b>Option 2:</b> To do nothing	<ul style="list-style-type: none"><li>• There are no benefits with this option</li></ul>	<ul style="list-style-type: none"><li>• The Council will be in breach of its legal duties.</li></ul>

#### 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 resource implications with this proposal to agree a process for identifying and agreeing Council owned land for use as a Gypsy & Traveller site/pitches.

7.2 Although not applicable to this current report, there will, however, be resource implications associated with the development of any agreed public site provision.

For example, this could include foregoing a capital receipt on the sale of Council land for development or lost opportunity to use sites for the delivery of affordable housing or other aspirations, design costs, construction, management and maintenance of a potential site. Welsh Government capital funding is available for actual site development only, which would need to be bid for. Resource implications will need to be considered on a site-by-site basis in due course.

**8. CONSULTEES:**

8.1 Cabinet; Senior Leadership Team; Head of Enterprise & Community Animation; Head of Head of Placemaking, Highways and Flooding; Head of Planning; Development Manager; Travelling Ahead; Gypsy, Roma and Traveller Advice & Advocacy Service.

**9. BACKGROUND PAPERS:** None

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## Appendix

### Proposed Procedure & Timeline for Identifying Land and Agreeing Use as A Gypsy & Traveller Site\*

\* Travelling Ahead; Gypsy, Roma and Traveller Advice & Advocacy Service to be invited to support and steer officers and to attend and participate in Place Scrutiny and Cabinet meetings

**20<sup>th</sup> July 2022** - consider proposed process for identifying site including member and Committee involvement in site identification.

**July 2022** – date to be confirmed

- **All member seminar** – to introduce and communicate the Gypsy & Traveller responsibilities to all members, advise of the need and provide an update on work undertaken to date.

**7<sup>th</sup> September**

- **Cabinet** – agree process for process for site identification

**WC 12<sup>th</sup> September 2022**

- **Member Workshop 1** - share site sifting work to date; consider and make recommendation on RAG rating sites
- **Planning Team** – apply Workshop agreed RAG to sifted sites

**WC 3<sup>rd</sup> October 2022**

- **Member Workshop 2** - Planning report on outcome of applying RAG; Members recommend consulting on determined site(s)

**9<sup>th</sup> November 2023**

- **Cabinet** – agree proposal to consult on identified site(s)

**Mid November 2022 – January 2023**

- **Housing & Communities** - consult on identified site(s)

**28<sup>th</sup> February 2023**

- **Place Select** – report on outcome of consultation and make site(s) recommendation for proceeding.

**1<sup>st</sup> March 2023**

- **Cabinet** – agree site(s) to develop

**Mid-March 2023 onwards**

- **Planning** – progress with incorporating identified site into Local Development Plan
- **Housing & Communities** - engage with Travelling Ahead; Gypsy, Roma and Traveller Advice & Advocacy Service, MCC Estates and Welsh Government.