

<b>SUBJECT:</b>	<b>MEETING GYPSY &amp; TRAVELLER PITCH NEEDS - LAND IDENTIFICATION</b>
<b>MEETING:</b>	<b>CABINET</b>
<b>DATE:</b>	<b>26<sup>TH</sup> JULY 2023</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>ALL</b>

## 1. PURPOSE:

- 1.1 The purpose of this report is to approve a proposal that the Council consults on the suitability of four pieces of Council owned land for potential development to meet (all or part meet) its statutory obligation to address identified Gypsy and Traveller pitch needs in Monmouthshire.
- 1.2 To recommend further evaluation of a fifth piece of Council owned land, to inform possible consultation and that the Council puts out a 'call' for land in private ownership.

## 2. RECOMMENDATIONS:

- 2.1 Cabinet Member recommends to Cabinet the commencement of the consultation exercise which will look at the following Council owned sites for the potential development of Gypsy and Traveller pitch provision namely:
- Manson Heights, Monmouth
  - Rocklea, Mitchel Troy
  - Garthi Close, Mitchel Troy
  - Langley Close, Magor
- 2.2 Agree that further evaluation is undertaken on an additional piece of Council owned land, to further inform possible suitability and if applicable, (subject to findings) future consultation.
- Dancing Hill, Undy (west of Dancing Hill)
- 2.3 Agree to a 'call' for landowners who may wish to suggest parcels of land to come forward for consideration and further consultation.

## 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 unmet need for mobile home pitches is identified, the necessary pitch provision needs to be made. The last Assessment was adopted by Cabinet on 6<sup>th</sup> January 2021. 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).
- 3.2 The Council has implemented a process to evaluate all Council owned land to identify suitable land that will help to meet the above need. An overview of the identification process undertaken by the Council is provided in **Appendix 1**.

3.3 The outcome of the identification process has concluded that five pieces of Council owned land may be suitable for development as pitch provision, four of which it is proposed are consulted upon. It is proposed that further investigative work is undertaken in respect of the fifth site prior to any decision on consultation. An overview of this land is provided below and a more detailed overview for each location is provided in **Appendix 2 and 3**.

MCC Land*	Summary/Main Conclusion	Recommendation
<b>Land Considered Suitable</b>		
Manson Heights, Monmouth	<p>No significant internal officer feedback received to suggest the site's suitability shouldn't be further considered. However, historical mapping has identified an Isolation Hospital for infectious diseases was previously situated on this land, likely between 1905-1964.</p> <p>The land is prioritised on the Councils Contaminated Land inspection strategy as a category E (low priority for further inspection).</p> <p>Should any type of accommodation be built on the land, (without site investigation and, if necessary, remediation) the site would become a category B (medium-high priority).</p>	<p>Consider retaining in process for consultation.</p> <p>Any future decision to develop would need to be subject to a land contamination site investigation.</p>
Garthi Close, Mitchel Troy	<p>No significant internal officer feedback received to suggest the site's suitability shouldn't be further considered. For assessment criteria RAG rated red, it is considered that mitigating action can be taken to address the concerns raised .</p>	<p>Consider retaining in process for consultation.</p>
Rocklea, Mitchel Troy	<p>No significant internal officer feedback received to suggest the site's suitability shouldn't be further considered. For assessment criteria RAG rated red, it is considered that mitigating action can be taken to address the concerns raised.</p>	<p>Consider retaining in process for consultation.</p>
Langley Close, Magor	<p>No significant internal officer feedback received to suggest the site's suitability shouldn't be further considered.</p>	<p>Consider retaining in process for consultation.</p>
<b>Land Possibly Not Suitable – But Not Currently Determined</b>		
Dancing Hill 1.85 acres, Undy	<p>Feedback received to suggest the site <b>may not</b> be suitable. For assessment criteria with a RAG red rating, suitability would be subject to further assessment/surveys.</p>	<p>Consider retaining or removing from process.</p> <p>It is recommended that if this land was retained in the process, possible use for</p>

	It is <b>not known</b> whether mitigating action would be necessary or feasible to address and remediate the concerns raised.	Gypsy & Traveller pitch provision <b>isn't consulted upon</b> until such time the required investigative survey work has been completed and the findings known and understood.
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*\*A number of the above areas of land are large enough to accommodate the whole of the pitch needs identified in the Gypsy & Traveller Accommodation Assessment. **It is not being proposed nor recommended that larger areas of land are utilised necessarily to their maximum pitch capacity** and, therefore, **should not** be evaluated or considered on the basis of their maximum pitch capacity. Smaller provision is considered more appropriate and sustainable.*

3.4 Of the need of thirteen pitches identified, 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 12.

3.5 Any further planning permission approvals since the Gypsy & Traveller Assessment should also be taken into account.

3.5 The proposed next steps are:

- **Cabinet – 26<sup>th</sup> July 2023** – agree proposal to consult on identified sites
- **August - September 2023** - consult on identified site(s)
- **People Scrutiny Committee 5<sup>th</sup> October 2023** – report on outcome of consultation and make site(s) recommendation for proceeding.
- **Cabinet 8<sup>th</sup> November 2023** – agree site(s) to progress for potential development
- **December 2023 Onwards:**
  - Progress with incorporating identified site(s) into the Replacement Local Development Plan
  - Engage with Travelling Ahead; Gypsy, Roma and Traveller Advice & Advocacy Service, MCC Estates and Welsh Government.

3.5 It is proposed to appoint a specialist planning agency that supports and advocates for community involvement in planning, to facilitate the consultation on behalf of the Council.

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

4.1 No negative implications have been identified respect of this proposal to consult. See **Appendix 4**. However, should the Council make a decision to develop pitch provision, negative implications have been identified in respect of some of the locations. There would be a need to identify mitigating steps.

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

5.1 The following options are available:

Option	Benefit	Risk
<p><b>Option 1:</b> The <u>recommended option</u> is that Cabinet gives approval for the Council to consult on pieces of land for potential suitability and development for Gypsy &amp; Traveller pitch provision and agree to a 'call' for landowners who may wish to suggest parcels of land to come forward for consideration and further consultation.</p>	<ul style="list-style-type: none"> <li>• This contributes to the Council's legal responsibilities to meet identified Gypsy &amp; Traveller pitch needs</li> <li>• Facilitating pitch needs can be undertaken by a number of means and doesn't have to be undertaken through public pitch provision and/or using Council owned land.</li> </ul>	<ul style="list-style-type: none"> <li>• It is possible there may be community objection to any proposed development of Council owned land for Gypsy &amp; Traveller sites.</li> <li>• There will be future financial implications associated with continuing to evaluate and finalise suitability eg land contamination investigation</li> <li>• There will be future financial implications associated with any final decisions relating to developing and managing a proposed site, although it is anticipated that Welsh Government capital grant will be available.</li> </ul>
<p><b>Option 2:</b> That Cabinet give approval for the Council to consult on a <u>smaller</u> selection of these pieces of land for potential suitability and development for Gypsy &amp; Traveller pitch provision (eg consult on one, two or three of the pieces of land rather than four).</p>	<ul style="list-style-type: none"> <li>• This will still contribute positively to the Council's legal responsibilities to meet identified Gypsy &amp; Traveller pitch needs</li> </ul>	<ul style="list-style-type: none"> <li>• It is possible there may be community objection to any proposed development of Council owned land for Gypsy &amp; Traveller sites.</li> <li>• Subject to final decisions, this option will impact on the number of pitches the Council will be able to provide and it reduces the likelihood of the Council meeting the whole identified need (eg 13 pitches) for Monmouthshire.</li> <li>• There will be future financial implications associated with any final decisions relating to developing and managing a proposed site, although it is anticipated that Welsh Government capital grant will be available.</li> </ul>
<p><b>Option 3:</b> To not recommend any of the pieces of land to Cabinet to formally consult upon.</p>	<ul style="list-style-type: none"> <li>• No benefits with this option, although the Council still may conclude that none of the pieces of land are suitable.</li> </ul>	<ul style="list-style-type: none"> <li>• It would impact on the Council meeting its legal responsibilities to meet identified pitch provision need.</li> </ul>

Option	Benefit	Risk

**6. REASONS:**

6.1 The Council has a duty under Part 3, Housing (Wales) Act 2014 to address unmet need for mobile home pitches where identified. Using Council owned land is one option for meeting identified need.

**7. RESOURCE IMPLICATIONS:**

7.1 The estimated cost of appointing a specialist planning agency to consult on the potential land options is approximately £4,000, subject to the final number of pieces of land evaluated as suitable for development by the Workshop. This will be funded from the Housing & Communities budget.

7.2 Subject to a final decision on consulting on Council owned pieces of land, there will be further revenue implications relating to undertaking air quality and noise assessments and land contamination investigation, to continue evaluating land for suitability.

7.3 Although not relating to this report and any decision to consult on Council owned land for potential future pitch provision development, there will be capital and revenue cost implications relating to any decision to develop pitch provision. The Council would engage with Welsh Government in respect of possible capital grant availability.

**8. CONSULTEES:**

8.1 Cabinet; Senior Leadership Team; Communities & Place DMT; Housing Management Team; Travelling Ahead - Gypsy & Traveller Advocates; Principal Environmental Health Officer; Snr Landscape and Urban Officer; Biodiversity & Ecology Lead; Highways Development Manager; Head of Planning and People Scrutiny Committee 19<sup>th</sup> July 2023.

8.2 See **Appendix 5** for comments and feedback provided by People Scrutiny on 19<sup>th</sup> July 2023 (to be inserted after 19<sup>th</sup> July 2023).

**9. BACKGROUND PAPERS:**

Welsh Government Site Design Guide 2015

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## Appendix 1

### Gypsy & Traveller Pitch Provision Land (MCC Owned Land) Identification and Evaluation

20<sup>th</sup> July 2022, People Scrutiny Committee - proposal for identifying sites and approach for member and Committee involvement considered.

#### Stage 1

- Preliminary Identification of all MCC Land and Assets – desktop exercise by officers. An appraisal of **All** MCC owned land, giving regard to Welsh Government Site Design Guide 2015.
- Approximately 1500 council assets considered and reviewed. Land removed:
  - Asset is a MCC property;
  - Cemetery Land; Allocations in the existing adopted LDP;
  - Tree Planting Scheme;
  - Woodland;
  - Covered by a ground lease;
  - Council Car Park; Footpath/road

#### Stage 2 – Further land removed relating to the following:

- Site is less than 500sqm – desired pitch size is min 500sqm for public sites. [A pitch capable of accommodating an amenity block, mobile home, caravan and parking for two vehicles];
  - Equipped Children's Play Area;
  - Playing Fields (Pitch);
  - County Farm Holdings;
  - Allocations in the existing adopted LDP/ RLDP promotion sites;
  - Known unfavourable topography;
  - Woodland areas that were missed on Stage 1;
  - C1 & C2 Flood Risk – known sites in flood risk removed;
  - Sites with any uncertain inputs have been carried forward to the next stage for further assessment
- Approximately 70 sites remained from 1500 sites

#### Stage 3 – assess flood risk as per updated TAN 15. Land removed due to:

- Sites wholly or mostly in Zones 2 & 3 of updated TAN15 maps (sea and river)
    - Sites where boundary could potentially be amended to remove site out of flood risk kept on list
  - Surface water flood risk highlighted for further assessment
  - Any constraints identified in Stage 1 & 2 if picked up at Stage
  - Brecon Beacons National Park Plan
  - Within and adjacent to Conservation Areas and/or Historic Park & Garden
  - Enclosed/surrounded by built environment privacy and amenity / placemaking
  - National Ecological designations eg SSSI
- Approximately 50 sites remained

**Stage 4 - RAG Evaluation of Land** - this exercise reduced the sites for potential consideration down to 9 pieces of land. The methodology used included desk-top evaluation, site visits, internal service consultation, Gypsy & Traveller community consultation undertaken by Travelling Ahead and feedback from Travelling Ahead themselves.

17 areas of land evaluated against the following RAG criteria:

Site Area	Ecological Designation on whole or part of site (SSSI, SINCR, SAC, RAMSAR, national/local nature reserve)
Ability to provide utility infrastructure	
Flood Zone (Updated TAN 15 Flood Maps)	Proximity to ecological designation
Within or adjoining a Settlement Boundary	Landscape Sensitivity (as recorded in the Landscape Sensitivity Study)
Greenfield/Brownfield	Mineral Safeguarding Area
Surrounded by Built Development	Proximity to potential 'bad neighbours' e.g. dual carriageways, trunk roads, motorway, railway, industrial estates)
Potential for expansion	
Within BBNP or AONB	Contamination (as recorded on Monmaps)
Within Green Wedge or potential Green Belt	School Proximity
Within Phosphates Catchment Area	Medical Facility Proximity
Adopted LDP DES2 Allocation	Proximity to other Amenities
DES2 in Review	Public transport proximity and frequency
Within/adjacent to Conservation Area or Historic Parks & Garden	Proximity to Historical Designation (inc Listed Buildings and Con Areas)
Within Archeologically Sensitive Area	Topography
Permanency	Access

- **29<sup>th</sup> September 2022, Member Workshop 1** – to communicate to all members the Council's Gypsy & Traveller responsibilities, advise of the identified unmet need and provide an update on site sifting work undertaken to date and the approach taken (which had identified 17 sites for further consideration). To enable further sifting of Council owned land, a proposed approach to RAG (Red, Amber, Green) rate land was considered. **See Appendix 2** for an overview of evaluation criteria. The Workshop recommended that the proposed RAG be used to further evaluate 17 pieces of Council owned land.

The Workshop also recommended Gypsy & Traveller awareness training be arranged for members and officers.

- Application of RAG, reduced 17 pieces of land to 9 pieces of land
- **3<sup>rd</sup> November 2022, Member Workshop 2** - 9 pieces of land were shared and discussed at the Workshop. The Workshop recommended that these 9 pieces of land should remain in the process for continued evaluation.
- **Officer Acquisition of Preliminary Feedback** – feedback received from internal services, Travelling Ahead – Gypsy & Traveller Advocates and the Gypsy & Traveller community (undertaken on behalf of the Council by Travelling Ahead).

- **30<sup>th</sup> January 2023, Member & Officer Gypsy & Traveller Awareness Training** – facilitated by Travelling Ahead.

#### **Stage 5**

- **4<sup>th</sup> July 2023 – Members Workshop 3** - consider 9 remaining sites and whether to leave in process and recommend consulting on possible development or remove from process.



