

<b>SUBJECT:</b>	<b>MEETING GYPSY, ROMA AND TRAVELLER PITCH NEEDS - LAND IDENTIFICATION</b>
<b>MEETING:</b>	<b>CABINET</b>
<b>DATE:</b>	<b>4<sup>TH</sup> OCTOBER 2023</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>ALL</b>

## 1. PURPOSE

- 1.1 Cabinet to consider opening a public consultation to meet its statutory obligation in addressing the identified need for Gypsy, Roma and Traveller pitches, whilst facilitating the provision of homes for local families.

## 2. RECOMMENDATIONS:

The Cabinet Member for 'A Sustainable Economy' recommends:

- 2.1 Ratification of the proposal to remove the following sites from the site identification process as per the statement made to Cabinet on the 26th of July 2023 by the then Cabinet Member for Inclusive Communities:
- Manson Heights, Monmouth
  - Garrow Road, Mitchel Troy
  - Rocklea, Mitchel Troy
- 2.2 Following further consideration of feedback from the Place Scrutiny Committee on the 19th of July 2023 and the wider Magor and Undy community, ratification of the proposal to remove Dancing Hill West, Magor from the list of potential sites, as per the reasons stated in paragraph 3.9 below.
- 2.3 Following a review of Council owned 'Candidate sites', to put forward two sites of up to 6 pitches each at the Caldicot East strategic site identified within the Replacement Local Development Plan Preferred Strategy.
- 2.4 The commencement of a public consultation exercise on the following Council owned sites (site summary profiles provided in **Appendix 1**), for the potential provision of up to six Gypsy, Roma and Traveller pitches each:
- Bradbury Farm, Crick, Caldicot
  - Oak Grove Farm, Crick, Caldicot
  - Langley Close, Magor
- 2.5 Inclusion in the public consultation, any suitable sites brought forward through the public call for sites, that the owner is willing to sell or lease long term to the Council.
- 2.6 Further exploration of the 19<sup>th</sup> July Place Scrutiny Committee's request to support households wishing to self-serve on existing sites which, subject to the necessary permissions, would reduce the number of new pitches needed.

- 2.7 To approve the attached FAQs (**Appendix 2**), an iterative document which will be displayed and regularly updated on the Council's website.

### **3. KEY ISSUES:**

#### **The Council's Statutory Obligations**

##### **3.1 Gypsy, Roma and Traveller Assessment**

All Councils in Wales have a duty under Part 3, Housing (Wales) Act 2014 to undertake a Gypsy, Roma and Traveller Assessment every five years. Where unmet need for mobile home pitches is identified, the necessary pitch provision needs to be facilitated. The last [Gypsy, Roma and Traveller Assessment](#) was adopted by Cabinet on 6<sup>th</sup> January 2021. The summary conclusions identify a need for 13 pitches for families already living within Monmouthshire. This need is broken down as follows:

- An unmet need of nine pitches under the assessment period 2020 to 2025;
- Beyond 2025, a further unmet need of four pitches over the remaining length of the Replacement Local Development Plan (2026-33) to accommodate family growth as children become adults and require their own pitch;
- There is no need identified for an allocation for travelling show people or circus people;
- The Gypsy, Roma and Traveller assessment did not identify a need to provide a transit site and given the cross-border movement associated with families passing through Local Authorities, this topic is best addressed via the regional Strategic Development Plan.

##### **3.2 Replacement Local Development Plan**

The Council is required to produce a Local Development Plan which sets out the Council's vision for the development and use of land in the County. The current plan was adopted in 2014 and to ensure the Plan is kept up to date, the Council has commenced preparation of the [Replacement Local Development Plan 2018 – 2033](#) (the RLDP). The RLDP must allocate land to meet its housing needs, including the identified need for Gypsy, Roma and Traveller pitches.

#### **Process to Date**

- 3.3 The Council has implemented a process to evaluate all Council owned land i.e., 1500 assets, to meet the identified pitch need and provide suitable homes in a sustainable location to identified local Gypsy, Roma and Traveller families, that require a home within the county. Its vision is for:
- Small sites, ideally occupied by one Monmouthshire family/household;
  - Typically, no more than 5 or 6 pitches on each site;
  - Well designed and landscaped;
  - Sensitive to existing communities.
- 3.4 An overview of the site identification process undertaken, and criteria used is provided in **Appendix 3**, which included engagement with elected members through a series of member workshops and Scrutiny Committees, in order to share requirements, obtain views/comments about the process and evaluation criteria and update on progress.

### 3.5 The RAG Evaluation

The Council's site identification process has reviewed and evaluated all of the Council's 1500 assets. The core of the site identification process was a broad five staged exercise to sift out/remove unsuitable land using site evaluation criteria, the aim being to identify a short-list of land with potential suitability for development as Gypsy, Roma and Traveller pitch provision, which would then be consulted upon.

- 3.6 This staged exercise to sift out unsuitable assets has been recorded and evidenced in a document, referred to as the RAG document (a spreadsheet that utilises a traffic-light system of red, amber and green to colour code evaluation findings and provide a more visual indication/overview). The RAG document is an iterative document that is continually updated as and when new information is identified. See **Appendix 4**. This staged process and the RAG document informed the original proposal scrutinised by People Scrutiny Committee held on the 19<sup>th</sup> of July and the report on the Cabinet agenda on 26<sup>th</sup> July 2023.

### 3.7 Cabinet – 26<sup>th</sup> July 2023

The report put to [Cabinet 26<sup>th</sup> July 2023](#) recommended *'the commencement of a consultation exercise to 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*

*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)*

*Agree to a 'call' for landowners who may wish to suggest parcels of land to come forward for consideration and further consultation.*

The decision taken by Cabinet on 26<sup>th</sup> July 2023 was to 'Defer consideration of the report to allow officers to undertake further work.' The then Cabinet Member also advised that three sites be removed from the site identification process due to unsuitability namely Manson Heights, Monmouth; Rocklea, Mitchel Troy Common and Garthi Close, Mitchel Troy Common – further detail of the suggested reasons for their exclusion can be found in **Appendix 4**.

- 3.8 In addition, officers were tasked with the following:

- Review site evaluation work and the RAG document;
- Incorporate and review Council owned candidate sites put forward for potential allocation in the RLDP for development [nine areas of land]. These were previously sifted out on the basis of the potential future development considerations;
- Invite the public to put potential land forward for consideration; and,
- Continue to seek to address need wherever possible on existing private Gypsy, Roma and Traveller sites subject to the necessary permissions.

## Officer Findings

3.9 Further to the Cabinet meeting of the 26<sup>th</sup> July 2023, the following activities have taken place :

- a) The site identification RAG document has been reviewed by officers to ensure comments and RAG ratings are robust and consistent. The most recent version of the RAG document is attached in **Appendix 4**. Given a combination of the known historic land contamination, possible noise issues, access issues and location immediately adjacent to a Site of Importance for Nature Conservation (SINC), officers recommend that *Dancing Hill West* is removed from the process as alternatives are available.
- b) Officers have further reviewed Council owned 'Candidate sites' put forward for potential inclusion in the RLDP. These nine sites are now included in the most recent version of the RAG document (**See Appendix 4, Stage 6**).
- c) Following the 'Candidate' site review, two sites at the RLDP strategic Caldicot East site have been identified for up to 6 pitches each; one at Bradbury Farm and one at Oak Grove Farm (**Appendices 1 and 4**). It is recommended that these are put forward for public consultation, along with Langley Close, Magor as per previous recommendations.
- d) The 'public call' for sites was a positive exercise which resulted in 17 pieces of land being suggested for use. The Council wishes to thank those who responded to the request. These sites have been assessed against the RAG criteria, this concluded:
  - One site was discounted as being located outside of Monmouthshire;
  - Nine sites were discounted as being contrary to flood risk policy, following the same approach as the sifting of MCC land;
  - One site was discounted due to its location within a Conservation Area, following the same approach as the sifting of MCC land;
  - Inadequate information was provided to identify the location of two sites;
  - One site was discounted as being too small to meet the identified need;
  - Three suitable pieces of land have been assessed using the RAG. The Council has written to the owners of the three suitable sites to determine if there is any interest in selling or leasing this land to the Council. If landowners of suitable sites are in agreement to potentially sell or lease for this purpose, these sites will be included in the public consultation.

Please note this information is exempt from disclosure because the Council does not have permission from the land owners.

- e) Discussions are ongoing with existing Monmouthshire households wishing to self-serve on existing sites, in respect of meeting their own need subject to the necessary permissions. These discussions are on-going and there is no material update available for this report.
- 3.10 Of the thirteen pitches needed as identified by the 2020-2025 Gypsy, Roma and Traveller Assessment, two pitches have been granted planning permission. This reduces the pitch requirement to eleven. Discussions are ongoing with two households about the possibility of obtaining planning permission on private sites which could significantly reduce the overall pitch requirement.

## Public Consultation

- 3.11 It is proposed that a specialist and independent community engagement agency is appointed to undertake the public consultation on behalf of the Council. The Council has invited a number of companies to submit proposals for its consideration. The purpose of the commission is to identify and implement a methodology which delivers a sound reflection of local views and is seen to be open, transparent, inclusive and engaging. The public consultation is expected to take at least six weeks.

## Proposed Next Steps

- 3.12 The proposed next steps in respect of both site identification **and** the Replacement Local Development Plan are:
- 4<sup>th</sup> October – Cabinet decision on Gypsy, Roma and Traveller sites for public consultation for at least 6 weeks. Proposed to start 18<sup>th</sup> October 2023.
  - 26<sup>th</sup> October Council consideration to endorse the preferred strategy for the RLDP to inform the deposit plan.
  - 9<sup>th</sup> November – Place Scrutiny Committee for consideration of the Economy, Employment and Skills Strategy and voluntary Local Transport Plan
  - 13<sup>th</sup> December – Cabinet approval sought for the Economy, Employment and Skills Strategy and voluntary Local Transport Plan.
  - Cabinet decision on which Gypsy, Roma and Traveller sites are to be included in the Deposit RLDP – Date to be confirmed after consultation.
  - April/May 2024 – Deposit Plan to Council for endorsement to consult – the Deposit Plan is the full RLDP containing all site allocations and all policies;
  - September 2024 – Deposit Plan to Council following consultation for approval to submit to the Welsh Government for public examination in public by an independent inspector;
  - Examination in public;
  - July 2025 – RLDP to Council for adoption.

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

- 4.1 No negative implications have been identified in respect of this proposal to consult on individual pieces of land. See **Appendix 5**. However, should the Council make a decision to develop pitch provision, negative implications have been identified in respect of some of the locations with consideration being given to any necessary mitigating measures.

## 5. OPTIONS APPRAISAL AND RISK ASSESSMENT

- 5.1 All Councils in Wales have a duty under Part 3, Housing (Wales) Act 2014 to meet unmet need for mobile home pitches where it is identified, there are therefore two options to consider in Table One below, Option One is the preferred option.

**Table One: Options Appraisal**

Option	Benefit	Risk
<b>Option 1:</b> The <u>recommended option</u> is that Cabinet gives approval to	<ul style="list-style-type: none"><li>• This contributes to the Council's legal responsibilities to meet</li></ul>	<ul style="list-style-type: none"><li>• It is possible there may be community objection to any proposed development of</li></ul>

Option	Benefit	Risk
<p>consult on the proposed pieces of land for potential suitability and development for Gypsy, Roma and Traveller pitch provision.</p>	<p>identified Gypsy, Roma and Traveller pitch needs.</p> <ul style="list-style-type: none"> <li>• It is a requirement of the development of Replacement Local Development Plan includes that identified need for Gypsy, Roma and Traveller pitch need is met.</li> <li>• Consultation will help better understand pros and cons of the proposed sites and inform the future site selection decision.</li> <li>• Timely progress is needed to meet the RLDP timetable</li> </ul>	<p>Council owned land for Gypsy, Roma and Traveller sites.</p> <ul style="list-style-type: none"> <li>• There will be future financial implications associated with continuing to evaluate and finalise suitability e.g., 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 to consult on a <u>smaller</u> number of these pieces of land for potential suitability and development for Gypsy, Roma and Traveller pitch provision.</p>	<ul style="list-style-type: none"> <li>• This will still contribute positively to the Council's legal responsibilities to meet identified Gypsy, Roma and 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, Roma and 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 remaining identified need (i.e., 11 pitches) for Monmouthshire.</li> <li>• There will be future financial implications associated with any final decisions relating to developing and managing</li> </ul>

Option	Benefit	Risk
		a proposed site, although it is anticipated that Welsh Government capital grant will be available.

## 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. FINANCIAL IMPLICATIONS

- 7.1 The Council can meet its statutory duty through a number of options, including purchasing land or leasing land from another landowner. The Council has opted to focus firstly on determining whether any of the Council's land is suitable for pitch provision and making the best use of existing resources. This is to avoid any unnecessary expenditure and is also subject to the suitability of identified land.
- 7.2 The estimated cost of appointing a specialist agency to consult on the potential land options is approximately £10,000, depending on the pieces of land being deemed suitable for development. This will be funded from the existing Housing and Communities budget.
- 7.3 There will be revenue implications relating to undertaking any surveys that may be necessary to further inform the evaluation of potential land. This will include further site investigation works including land contamination, air quality and noise assessments. Final costs will be dependent upon the outcome of the public consultation and the land identified for further investigation.
- 7.4 Although not relating to this report nor 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 possible future decision to develop pitch provision. As yet, the Council has **not** sought to identify and estimate site development costs until such time a decision has been by the Council that a site is considered suitable, which will be made after consultation. Costs will be determined at the stage of designing a site. These costs will need to be appraised and evaluated as part of the decision-making process. Such cost will vary depending on the land identified and other variables such as size and number of pitches. The Council will 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 Although no decision has been made to consult on any land as yet, the Council has already received feedback from members of the public about Langley Close, Magor. In summary the Council has received 58 individual pre-consultation representations,

all of which have objected to the possibility of Langley Close being used for the purpose of Gypsy & Traveller pitch provision. Should Cabinet decide to consult on Langley Close, this feedback will be automatically fed into the consultation process for consideration and passed to the independent specialist agency the Council is hoping to appoint.

- 8.3 Members were asked to scrutinise proposals to inform the 26<sup>th</sup> July Cabinet report on at the People Scrutiny Committee on 19<sup>th</sup> July 2023. Please see **Appendix 6** for minutes of the People Scrutiny Committee on 19<sup>th</sup> July 2023. The meeting can also be viewed [here](#).

## **9. BACKGROUND PAPERS:**

**Appendix 1** – Site Profile

**Appendix 2** – Frequently Asked Questions & Landing Page

**Appendix 3** – Site Identification Process

**Appendix 4** – RAG Document

**Appendix 5** – Integrated Impact Assessment Document

**Appendix 6** – Minutes of People Scrutiny 19<sup>th</sup> July 2023

### **Welsh Government Site Design Guide 2015**

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