

## Frequently Asked Questions for Website Landing Page

***NB** Please note, some of the links within this document will not be live until the document is made available on the Council's website, subject to Cabinet approval on 4<sup>th</sup> October 2023.*

### **Gypsy, Roma and Traveller Assessments FAQs**

#### **Gypsy, Roma and Travellers**

##### **1. How are Gypsy, Roma and Travellers defined?**

Gypsy, Roma and Travellers are defined under Section 108, Housing (Wales) Act 2014 as:

- (a) Persons of a nomadic habit of life, whatever their race or origin, including:
  - 1) Persons who, on grounds only of their own or their family's or dependant's educational or health needs or old age, have ceased to travel temporarily or permanently, and
  - 2) Members of an organised group of travelling show people or circus people (whether or not travelling together as such); and
- (b) All other persons with a cultural tradition of nomadism or of living in a mobile home.

##### **2. Why is the Council identifying land for Gypsy, Roma and Traveller pitches?**

There are three main reasons why the Council needs to identify land for Gypsy, Roma and Traveller pitches:

- 1. Welsh Government and The Housing (Wales) Act 2014 require the Council to undertake a Gypsy, Roma and Traveller Assessment every five years. If that Assessment identifies a need, the Council has a duty to meet that identified need by facilitating the required pitch provision.
- 2. The second reason is 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 Council is working on the Replacement Local Development Plan 2018-2033. This Plan needs to allocate land to meet all of the County's housing needs, including bricks and mortar homes and sites for Gypsy, Roma and Travellers.

3. We want members of the travelling community who live in Monmouthshire to have a safe and accessible place to live.

### **3. What were the results of the Gypsy, Roma and Traveller Assessment completed in 2021?**

The Council's most recent Gypsy, Roma and Traveller Assessment was completed in 2021, the summary conclusions are 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 for an allocation for travelling show people or circus people; and,
- 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.

The Assessment takes into account accommodation requirements for the period of the Replacement Local Development Plan 2018-2033.

However, 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.

For purposes of clarity, a permanent residential site can be privately owned or owned by the Local Authority. This site will be designated for use as a Gypsy, Roma and Traveller site indefinitely. Residents on these sites can expect to occupy their pitches for as long as they abide by the terms of their pitch agreements, under the Mobile Homes (Wales) Act 2013.

The full Gypsy, Roma and Traveller Assessment 2021 can be found [here](#)

#### **4. What is a pitch?**

There is no official definition of a 'pitch' however Officer's interactions with the Gypsy, Roma and Traveller community have determined that 'A pitch is land provided for a household which should be big enough to provide an amenity block, a mobile home, a touring caravan and parking for two vehicles.

The Council's broad expectation is that sites, particularly any public sites, will be:

- 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.

#### **5. What is the Council's current approach to finding locations for the additional pitches the Gypsy, Roma and Traveller Assessment identified?**

The location of the pitches is yet to be determined. The Council is seeking to meet the Gypsy, Roma and Traveller additional pitch needs through a variety of ways, including any or a combination of the following:

- Public sites using Council owned land. This can be using land currently owned by the Council or the Council could potentially purchase land for the purpose of providing a public site;
- 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.

## **6. What has happened so far?**

Work commenced on considering the Council's broad approach to identifying land for Gypsy & Traveller pitch provision in 2018. But the more concentrated activity has taken place since the completion of the Gypsy, Roma and Traveller Assessment 2021.

The aim of the process has been to identify and shortlist parcels of land that are potentially suitable for providing Gypsy, Roma and Traveller pitches that will meet the Council's need, which the Council can then consult upon. Following consultation, a decision will be made on the best sites, and the chosen sites will then be included in the Replacement Local Development Plan, currently in development.

To help develop the Council's site identification process and to explain the Council's legal responsibilities, a schedule of both informal and formal meetings has taken place to capture the knowledge and views of local elected Council Members and to help inform the site identification process. Any decision to consult on any land will be made by the Council's Cabinet.

## **7. The Council's Site Identification Process**

### **7.1 The RAG Evaluation**

The Council's site identification process has reviewed and evaluated all of the Council's 1500 Council assets. [Insert link](#). 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.

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. This staged process and the RAG document informed the original proposal on the Cabinet agenda on 26th July 2023.

To inform the Site Identification Process, Elected Member Workshops were held to share information with elected members, provide updates on progress and acquire their views. Slides from the workshops can be found below:

- Workshop 29th March 2019 [\(create link\)](#)
- Workshop 29th September 2022 [\(create link\)](#)
- Workshop 3rd November 2022 [\(create link\)](#)
- Workshop 4th July 2023 [\(create link\)](#)

To support the Site Identification Process, elected Members and Council Officers also attended Gypsy & Traveller awareness training. The training was delivered by Travelling Ahead – Gypsy & Traveller Advocates. Slides from the workshop can be found here [\(create link to slides from 31st January 2023\)](#)

## **8. The Council's Democratic Process**

### **8.1 What is the role of Scrutiny Committee?**

The Local Government Act 2000 requires every Authority in England and Wales to establish an Executive and Scrutiny split for the purposes of decision-making. In Monmouthshire County Council, eight Cabinet Members (Executive Councillors) have the power to make the decisions needed to put the Council's policies into practice. The remaining members (non-executive Councillors) form an overview and scrutiny arm and assist the executive through 'constructive challenge'. Scrutiny improves corporate governance arrangements, by ensuring the decision-making process is more open, accountable, and transparent. Through the scrutiny process, Cabinet Members are held to account for decisions they make on behalf of their communities.

The role of Scrutiny therefore is to:

- Act as a 'critical friend', questioning how decisions have been made and providing a 'check and balance' to the decision-makers;
- Scrutinise the impact of decisions to see if they are the right ones for the people of Monmouthshire;
- Ensure that Cabinet Members and Officers perform properly and that the Council is delivering high quality services;
- Develop and review policy to see if it is fit for purpose and meets the public's needs.

Whilst Scrutiny members do not have power to make decisions, they can shape and develop Council policy and review decisions, as well as challenge the performance of the Cabinet and the Council, Scrutiny Committees have enabled the public to help shape the direction of the Council. Scrutiny Committees can challenge and recommend improvements in the way in which key services in Monmouthshire are delivered, and they can influence change, by asking the 'how' and why' questions. They can also recommend that Cabinet explores alternatives, however, *Cabinet Members can accept or reject recommendations made by Scrutiny Committees in line with their executive responsibility for decision-making i.e., all decision-making rests with the Cabinet (executive).*

## **8.2 How has Scrutiny assisted in this Process?**

Throughout this process, Council Officers have regularly consulted with Scrutiny Members on progress. Full details of these meetings can be found here:

- [Report to Joint Select Committee to scrutinise Gypsy and Traveller Assessment, 10/12/2020 10:00 \(monmouthshire.gov.uk\)](#)
- [Report to Adults Select Committee to scrutinise site identification, 21/09/2021 10:00 \(monmouthshire.gov.uk\)](#)
- [Report to Adult Select Committee to include process in forward work programme, participate in workshops, scrutinise methodology for evaluation, invite support from Travelling Ahead, 20/07/2022 10:00 \(monmouthshire.gov.uk\)](#)
- [Report to Cabinet to approve and adopt Gypsy and Traveller Assessment, 06/01/2021 14:00 \(monmouthshire.gov.uk\)](#)

## **8.3 People Scrutiny Meeting – 19<sup>th</sup> July 2023 (meeting can be viewed [here](#))**

At the People Scrutiny Committee held on the 19th of July, the Committee was asked to consider the following recommendations from the [Report to People Scrutiny Committee 19th July 2023 to scrutinise proposal to consult on four sites and undertake investigative work on a fifth site](#)

- 2.1 Consider the process implemented to identify Council owned land suitable for the potential development of Gypsy & Traveller pitch provision.
- 2.2 Consider the evaluation of five pieces of Council owned land considered to be suitable, subject to the findings of any further

required assessment, for potential development of Gypsy and Traveller pitch provision.

2.3 Recommend to Cabinet that the following pieces of Council owned land are consulted on for potential development for Gypsy and Traveller pitch provision:

- Manson Heights, Monmouth
- Rocklea, Mitchel Troy
- Garthi Close, Mitchel Troy
- Langley Close, Magor

2.4 Recommend to Cabinet that further evaluation is undertaken on the following piece of Council owned land, to further inform suitability and if applicable, (subject to findings) future consultation.

- Dancing Hill, Undy (west of Dancing Hill)

The Committee heard from local residents attending the meeting who provided comments about suitability of some of the land. There was a strong feeling about the Site Identification Process and the suitability of the individual sites. When considering the recommendations above, the Scrutiny Committee made a recommendation to reject the four recommendations presented and to recommend that the Members put out a public call to landowners to come forward with parcels of land, which is in line with recommendation 2.3 of the Cabinet report and that the selection process begin again.

#### **8.4 Cabinet – 26<sup>th</sup> July 2023** (meeting can be viewed [here](#))

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.

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.

## **9. What has happened since the Cabinet Meeting of the 26<sup>th</sup> July 2023?**

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

- 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 can be viewed **here (insert link)** . 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 which can be viewed at **Stage 6 here. (insert link).**



- 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 (**Appendix x**). 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. Of these suggestions:
  - a. One site was discounted as being located outside of Monmouthshire;
  - b. Nine sites were discounted as being contrary to flood risk policy, following the same approach as the sifting of MCC land;
  - c. One site was discounted due to its location within a Conservation Area, following the same approach as the sifting of MCC land;
  - d. Inadequate information was provided to identify the location of two sites;
  - e. One site was discounted as being too small to meet the identified need;
  - f. Three suitable pieces of land have been assessed using the RAG (see **here**, Stage 6). 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.
  
- 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.

## **9.1 Public Consultation**

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 several 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.

## **9.2 Proposed Next Steps**

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.
- 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.

## **9.3 Community Feedback**

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.

## **9.4 Consultation with the Gypsy and Traveller Community**

The Gypsy and Traveller Advocacy Group, Travelling Ahead have been working with Council Officers over many months, having also run two training sessions

for Elected Members to raise awareness of Gypsy and Traveller's needs. Meetings with individual families are also taking place and where possible, support is being provided with individual planning applications to enable some families to remain in their current locations, which may result in fewer additional pitch sites being required.

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