Minutes of Place Special Scrutiny Meeting – 23rd October 2023

Note: Minutes do not serve as a verbatim record of the meeting. They provide a summary of the Committee's discussion. For the full debate, please access the recording of the meeting https://www.youtube.com/watch?v=OdWpq-OE2DM&embeds_referring_euri=https%3A%2F%2Fdemocracy.monmouthshire.gov.uk%2F&source_ve_path=OTY3MTQ&feature=emb_imp_woyt

Attendees:

Councillors:

Lisa Dymock, Tomos Davies, Louise Brown, Jane Lucas, Laura Wright, Maria Stevens, Su McConnell, Tudor Thomas, Simon Howarth, David Jones, Frances Taylor, Phil Murphy, John Crook, Paul Griffiths, Mary Ann Brocklesby

Officers:

Mark Hand, Cath Fallon, Craig O'Connor, Matthew Gatehouse, Sally Meyrick, Nicholas Keyse, Frances O'Brien, Paul Matthews, Hazel Ilett, Robert McGowan

1. Apologies for Absence.

Apologies were received from Councillor Jackie Strong with Councillor Su McConnell substituting. Apologies were also received from Councillor Emma Bryn, with Councillor Simon Howarth substituting.

2. Declarations of Interest.

Councillor Dymock declared an interest, as two sites are in her ward.

3. Public Open Forum.

The following concerns were raised by the public during the forum in relation to the sites that Cabinet wish to consult on:

- There are flaws in the process as to why some sites have been rejected which reflects inconsistent and unsound decision-making. There was a lack of notification about the sites being considered and the public were unaware of the Cabinet's consideration of the sites.

- The site proposed at Langley Close is a conservation area and Site of Special Scientific Interest (SSSI) with ancient hedgerow and established wildlife. There

are road safety concerns and access concerns, air pollution and noise pollution concerns.

- There proposals lack balance, because if the sites were approved at Bradbury Farm and Oak Grove Farm, there would be three sites within a very short distance. There are adverse visual impacts on landscape, the land being of high agricultural value. The Gwent Levels is an SSSI, so placing a site in full view was felt to contradict planning policy H6 that applies to the visual impact.

- There are considerable road safety concerns, as there are no footpaths, the road is a 60mph road, yet the report cites 'good walking links'. There are no bus links and poor connection to public services, such as schools and shops. People commented that the siting proposals are dangerous and would offer poor networks.

4. Call-in of the decision by the special meeting of Cabinet on 4th October 2023 in relation to Meeting Gypsy, Roma and Traveller Pitch Needs – Land Identification.

The Scrutiny Manager explained the Call-in process, as outlined in the Council's Constitution. Councillor Taylor spoke as the Call-in Lead, detailing the reasons for calling in the decision, as stated in the Call-in request. Councillors Howarth and Jones also outlined their reasons for the call-in.

Key points raised by Call-in Members:

- Concerns about the robustness and objectivity of the process.
- Concerns about the consistency of the application of the RAG ratings and the rationale for accepting or rejecting certain sites as part of the process, Members citing there are inaccuracies and inconsistencies on aspects such as proximity to major roads.
- Concerns about the lack of assessments on sites prior to inclusion in the Replacement Local Development Plan and prior to public consultation – the argument being that the process feels flawed.
- Concerns relating to the cost implications and the timeliness of conducting assessments on sites that are felt to be unsuitable on the basis of air, noise and possible land contamination, particularly given the difficult financial climate.

Cabinet Member Paul Griffiths responded to the points of the call-in and answered the members' questions with Mark Hand, Nicholas Keyse, Cath Fallon and Craig O' Connor.

Key points raised by Committee Members:

- The Cabinet Member was asked to confirm that he and officers had visited all sites ~ The Cabinet Member responded, confirming he had visited all sites.

- Concerns stated by the public about the process taken to shortlist these sites were echoed by Members ~ they heard that Undy was recommended to be in the final shortlist, but had since been withdrawn due to the land being contaminated. They queried how Members could be assured that the process is robust and that the proposals are viable. Members have concerns about the suitability of the sites remaining: specifically road safety and the lack of active travel routes, poor connection to public transport and a lack of access to vital public services.

- There were discrepancies suggested in Appendix 1 of the report, in respect of Oak Grove Farm (Oakwell Farm being suggested to be the correct name), the report citing 'easy access' to the village, which suggests it falls within the active travel focus. A Member strongly disputed this, explaining that walking along the verge of the B4245 would be very dangerous with no safe means of access to schools and shops. It was suggested that the report was misleading, given that the proximity to active travel routes is 1.6 miles, which is dangerous for communities to walk without a footpath. Another example was given of Bradbury Way, where a Member advised that a nearby house was refused planning for a driveway onto Crick Road because officers believed it was too dangerous, however, the Council is proposing to pitches which will need to access/egress from this road, with no footpaths for people to access local amenities safely.

- Concerns was echoed about the suitability of the Langley Close proposal, which was raised by the public, who spoke about road safety concerns with 50mph and 60mph busy roads and the locations that are difficult to access. All three of the sites were argued to have no access to footpaths for the residents to access local amenities safely – such as schools, shops and other public services. A Member stated that there is extremely poor access to public transport and that the traffic at the north of Crick Road is already very problematic.

- A question was asked as to why the Langley Close proposed site was so close to existing homes and whether we know whether the Gypsy, Roma and Travelling Community would be happy living in such close proximity to housing settlements. Members questioned whether we fully understand what the Gypsy, Roma and Travelling Community want and the extent to which we are addressing their needs. The Cabinet Member assured the Committee that

the Gypsy, Roma and Travelling Community and Travelling Ahead, the representative body would be involved in the public consultation process.

- Members highlighted that the Council has received little feedback from the Gypsy, Roma and Traveller community, but the one family who provided feedback stated they "wished to remain in home community for school, employment and social reasons". The Member suggested that the Council seeks to house people as near to their connections as possible, yet seems to be refusing to explore this for the Gypsy, Roma and Travelling Community. She asked whether Travelling Ahead had visited the sites and drew attention to the Welsh Parliament Provision of sites for Gypsy, Roma and Travellers document, which states that Councils need to look at where need is identified, rather than telling the Gypsy, Roma and Traveller community where they must go. She advised that the Oak Grove Farm, which was historically land part by Severn View Farm is now farmed by Park Wall Farms – which is 2.4 miles from Oak Grove Farm. She suggested that both Bradbury Farm and Oak Grove Farm site would be sandwiched between the A48, M48 and B4245. She referred to the Welsh Parliament document written by Martin Gallagher, Irish Traveller and academic, which specifically highlights concerns around proximity to major roads and highlighted the Council had an opportunity to adopt a different approach.

- Reference was drawn to recommendation 19 in the Welsh Parliament document, where the Children's Commissioner noted that local authorities must consider the Wellbeing Goals in relation to promoting health, equality and cohesive communities. However, Traveller children and support workers have raised concerns with her office "regarding the accessibility of sites and lack of access to services such as play facilities, or safe walkways. The Cabinet Member advised that appropriate guidance would be taken into account.

- There were concerns about the lack of information in the report on the financial implications to the council of assessing the sites for noise pollution, air pollution and land contamination, within a challenging financial climate.

- Questions were asked as to why applicants for other projects were being asked to consider sites for the Gypsy, Roma and Travelling Community instead of the project being put forward.

- A Member highlighted that the implications of the Replacement Local Development Plan being taken forward for Bradbury Farm for example, would suggest it would be surrounded by at least 750/850 houses. It was felt there is a disproportionate distribution of sites for the Gypsy, Roma and Travelling Community, and that sites may be required across the county and not just in

the areas proposed. The Cabinet Member confirmed that due consideration was being given to where sites are needed.

- A query was raised in respect of soil categories - Caldicot East sites being classified as 1,2,3a, "grade 1: excellent quality agricultural land. grade 2: good quality agricultural land. grade 3a: good to moderate quality agricultural land". Whilst the Member stated they wouldn't advocate the allocation of sites on contaminated land, the agricultural value of the land was questioned. Officers confirmed that the land proposed for sites had been proposed for future development, rather than agricultural use.

- Questions were also asked around how existing farming tenancies would be handled and compensation for tenants. Officers confirmed the process and explained that tenancies are likely to have ended at that point.

- A Member queried whether capital grants from Welsh Government cover all site contamination costs, air pollution costs, and compensation to landlords.

- Members asked for clarity as to whether the high-level/baseline site assessments would be carried out at the same time as the public consultation. The Cabinet Member confirmed that sites identified to date wouldn't be fully assessed until the planning applications stage. The Cabinet Member advised the Committee that the next stage of the process would be to go out to consultation and to conduct the high-level assessments.

Formal Outcome of the Scrutiny (Chair's Summary):

Following significant debate which can be (in significant part) accessed via the live stream, the Committee proceeded to a vote:

Three Members agreed to accept the Cabinet decision. Six Members agreed to refer the decision to full Council, for the following reasons:

- Members are concerned about the lack of guidance on the financial implications to the council of assessing the sites for noise pollution, air pollution and land contamination and any remedial actions that would need to be taken.

The decision to refer the matter to Council was carried.

5. Next Meeting: Thursday 9th November 2023 at 10.00am.