

COMMUNITIES SCRUTINY COMMITTEE

Minutes of a special meeting of the Communities Scrutiny Committee held via Video Conference on Monday, 26 July 2021 at 10.00 am.

PRESENT

Councillors Brian Blakeley, Alan Hughes, Tina Jones, Merfyn Parry, Peter Scott, Graham Timms (Vice-Chair), Cheryl Williams and Huw Williams (Chair).

Present at the Committee's invitation were:

Cabinet members: Councillor Hugh Evans (Leader of the Council) and Councillor Mark Young (Lead Member for Planning, Public Protection and Safer Communities)

Task and Finish Group members: Councillors Martyn Holland, Hugh Irving and Barry Mellor (Chair). [Councillors Peter Scott (Vice-Chair) and Alan Hughes were both members of the Committee].

Observer: Councillor Meirick Lloyd Davies

ALSO PRESENT

Head of Legal, HR & Democratic Services and Monitoring Officer (GW), Head of Planning, Public Protection and Countryside Services (EGJ), Strategic Planning and Housing Manager (AL), Project Manager (KW), Scrutiny Coordinator (RhE) and Committee Administrators (KE and SJ).

1 APOLOGIES

Apologies for absence were received from Graham Boase, Corporate Director: Economy and Public Realm.

2 DECLARATION OF INTERESTS

No personal or prejudicial interests were declared.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised with the Chair ahead of the meeting.

4 GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT - REPORT BY THE TASK AND FINISH GROUP

The Chair welcomed Councillor Barry Mellor, Chair of the Gypsy and Traveller Accommodation Assessment Task and Finish Group and other members of the Group to the meeting.

On behalf of the Task and Finish Group Councillor Mellor introduced the report (previously circulated) to Committee members. During his introduction Councillor Mellor advised that local authorities, under the Housing (Wales) Act 2014, were legally bound to undertake a Gypsy and Traveller Accommodation Assessment (GTAA) at least every five years. A current GTAA was also a requirement for the replacement Local Development Plan (LDP) and an approved GTAA required to be submitted by the Council to the WG by 24 February 2022. He reminded the Committee that Scrutiny, in recent years, had requested that councillors and the Council's scrutiny committees should be consulted on the development of the GTAA at an early stage with a view to securing timely and effective engagement with all stakeholders, in particular members of the Gypsy and Traveller community.

Whilst not a requirement of the Welsh Government's (WG) statutory guidance 'Undertaking Gypsy and Traveller Accommodation Assessment', the Authority had decided that it would be prudent to adopt a project management approach to realise the delivery of a GTAA in accordance with the methodology set out in the guidance. In line with this approach a Project Board, comprising of the Council Leader, the Lead Member for Planning, Public Protection and Safer Communities, along with other senior Council officers, was established to manage the delivery of the project, secure the necessary resources for its delivery and to draw up a communications and engagement plan in relation to the work that was being undertaken. The Project Board felt that it would be key for the process to be seen to be open and transparent from the outset, hence their request that Communities Scrutiny Committee establish a Task and Finish Group to support and inform the development of the GTAA and ensure that its development complied with all aspects of the WG's guidance and took into account elected members' representations. As detailed in the report and associated appendices Communities Scrutiny Committee at its meeting in May 2021 endorsed the proposal to establish a task and finish group for this purpose and, with a view to ensuring cross county input into the process, it asked each of the Member Area Groups (MAGs) to appoint a representative to serve on the Task and Finish Group. A copy of the Task and Finish Group's terms of reference was attached at Appendix 1 to the report.

Councillor Mellor outlined the work undertaken by the Group to date, as detailed in appendices 1 and 2 to the report. He emphasised that the Group had agreed to take a two stage approach to the work. The first stage required the group to understand the Welsh Government methodology in order to develop a work brief and stakeholder communication and engagement plan with the Gypsy and Traveller community, elected members and other stakeholders. Stage two would focus on monitoring the process undertaken and the progress made to ensure compliance with statutory guidance and elected members' expectations. During its initial meetings the Task and Finish Group had reviewed the list of potential sources of data as set out within the WG's methodology, and identified some options for gathering additional qualitative data that may inform the understanding of need i.e. travelling patterns. This would include reviewing any additional information gathered from welfare visits to unauthorised encampments and an invitation to elected members and city, town and community councils to provide any local knowledge through an online survey. The Gypsy and Traveller Accommodation Assessment would be undertaken by Opinion Research Services (ORS) the

external consultants appointed to undertake the GTAA by both Conwy County Borough Council and Denbighshire County Council. Whilst the services of ORS had been jointly procured they would be undertaking two entirely separate GTAAs and producing two individual reports.

The Task and Finish Group had agreed that in addition to the minimum requirements set out in the WG's methodology in relation to promoting the GTAA, additional steps should be followed in Denbighshire with a view to promoting the Assessment these were listed on page 6 of the GTAA Draft Work Brief (July 2021) attached at Appendix 2 to the report. Activities proposed included asking Elected Members to place posters in key community venues in their wards to encourage participation, promoting the Assessment and seeking people to come forward and engage with the Council on their needs, on-line surveys to county councillors and city, town and community councils and working with other stakeholders such as health visitors and the Police to promote the Assessment with families that they may have contact with. Further detailed information on the proposed activities were contained in the Stakeholder Engagement and Communication Plan (Appendix 3). In addition, the T&F Group had met with representatives from the ORS consultancy and as a result had been reassured that they were knowledgeable and experienced with regards this type of work.

If the Committee agreed to endorse the Assessment's commencement, the Task and Finish group would meet again in September and October to monitor progress with the work and ensure compliance with the statutory and additional requirements. The Task and Finish Group would report back to the Committee with its comments on this process. The draft GTAA would be presented by members of the Project Board to Communities Scrutiny Committee for examination before seeking final approval from Cabinet. If approved by Cabinet, the GTAA would be submitted to Welsh Government for approval.

Councillor Mellor emphasised that the T&F Group wanted to ensure that the Committee was satisfied with all steps taken thus far with regards to the GTAA process. It also wanted to seek the Committee's endorsement for the process followed, the work brief and Stakeholder Engagement and Communication Plan to enable the actual assessment itself to commence. In doing so he stressed that the T&F Group was not looking for potential residential and/or transit Gypsy and Traveller sites. Its remit was solely to ensure that the accommodation assessment was undertaken in accordance with WG guidance whilst also taking into account any locally identified considerations. The outcomes of the GTAA would determine whether the Council would require to identify potential sites at a later date.

Councillor Peter Scott, Vice-Chair of the T&F Group, echoed Councillor Mellor's comments on the diligent work undertaken to date by the Group which had held several meetings in a short period of time.

Responding to members' questions the Chair of the Task and Finish Group, the Head of Planning, Public Protection and the Strategic Planning and Housing Manager confirmed that:

- by procuring and engaging ORS as the consultants with Conwy County Borough Council both authorities aimed to reduce the risk of double counting and duplication in certain aspects of the work. However, ORS would be undertaking and producing two entirely separate GTAAs;
- in addition to working closely with Conwy CBC in appointing consultants the T&F Group had also asked officers to liaise closely with all other North Wales authorities in relation to the development of their GTAAs

Committee members praised the T&F Group for its work so far and thanked it for the informative report presented to them. It was felt that the approach taken towards planning and undertaking the new GTAA should result in the Authority being in a far better position if and when it required to look at potential sites for residential and/or transit Gypsy and Travellers in the county in future.

The Leader thanked the T&F Group and its Chair for a very comprehensive report. He emphasised the importance of involving all stakeholders throughout the development of the Assessment and at the same time ensuring appropriate levels of internal and external communications regarding the Assessment and its purpose.

The Committee Chair thanked the Task and Finish Group for its work and the MAG representatives on the T&F Group who were also members of the Council's scrutiny committees for regularly reporting back to their committees on the T&F Group's work.

During the discussion a number of members referred to a recent unauthorised encampment on public land near East Parade, Rhyl and the perception that the Council and North Wales Police had been slow to take enforcement action against those involved. Officers advised that there had been legal complexities in relation to this matter, but confirmed that all relevant public authorities were working together in an attempt to resolve the matter. It was stressed that matters relating to unauthorised encampments were not within the remit of the T&F Group and that a draft procedure and solutions for dealing with such encampments in future had recently been endorsed by Scrutiny and were in the process of being implemented.

The Committee:

Resolved: that Scrutiny having considered the information contained in the Task and Finish Group's report and imparted during the discussion, subject to the observations noted above –

- (i) endorse the Gypsy and Traveller Accommodation Assessment Work Brief (Appendix 2 to the report);***
- (ii) endorse the Stakeholder Engagement and Communication Plan (Appendix 3 to the report);***
- (iii) confirm its support for the approach adopted for the delivery of Denbighshire's Gypsy and Traveller Accommodation Assessment as being robust and in line with Welsh Government guidance; and***
- (iv) endorsed the start of the assessment.***

Meeting concluded at 10.30am.