

Report To: Cabinet

Date of Meeting: 16th February 2016

Lead Member / Officer: Councillor Barbara Smith/Councillor Hugh Irving/Angela Loftus

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Title: Update on the Gypsy and Traveller Accommodation Assessment

1. What is the report about?

- 1.1. The report outlines the findings of the 2016 Gypsy Traveller Accommodation Assessment for Denbighshire which considers the potential future need for both residential and transit Gypsy and Traveller Accommodation Provision.

2. What is the reason for making this report?

- 2.1 To present the conclusions of the draft Gypsy and Traveller Accommodation Assessment 2016. The Assessment must be submitted to Welsh Government by 26th February 2016. The draft Denbighshire 2016 Gypsy Traveller Accommodation Assessment report is attached as Appendix 1.

3. What are the Recommendations?

- 3.1 The recommendations are:
- To consider the report and approve submission of the Gypsy and Traveller Accommodation Assessment to Welsh Government
 - To approve utilising a regional approach to the search for sites to meet any future provision required.

4. Report details

- 4.1 The assessment of Gypsy and Traveller accommodation needs and the duty to make provision for sites where the assessment identifies need, is a statutory requirement under the Housing (Wales) Act 2014. The key difference compared to previous legislation is that the duty is now to assess any need **and** meet any need identified.
- 4.2 All Local Authorities are required to undertake an up-to-date assessment by 26th February 2016 and every 5 years thereafter. The 2015-16 assessment has been conducted jointly with Conwy County Borough Council although separate documents will be submitted by each authority. This collaborative approach follows the recommendations of the previous assessment (2013) which called for a shared transit site for the two authorities as a high proportion of unauthorised encampments occur in the north of the County in the border area.

- 4.3 The overall aim of the Gypsy and Traveller Accommodation Assessment study is to assess if there is a need to provide further accommodation for Gypsies and Travellers within the study area and, if so, how it should be provided to best meet the needs of the Gypsy and Traveller community.
- 4.4 The definition of 'Gypsies and Travellers' for the purposes of this accommodation assessment process is contained within section 108 of the Housing (Wales) Act 2014. Gypsies and Travellers are defined as:
- (a) Persons of a nomadic habit of life, whatever their race or origin, including: 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;
 - (b) members of an organized group of travelling show people or circus people (whether or not travelling together as such); and
 - (c) all other persons with a cultural tradition of nomadism or of living in a mobile home."
- 4.7 An understanding of Gypsy and Traveller accommodation issues is essential to make properly planned provision and avoid the problems associated with ad hoc or unauthorised provision. A comprehensive accommodation assessment and strategy to meet the need which is identified will greatly strengthen the ability of Local Authorities to respond swiftly and firmly to inappropriate unauthorised developments and encampments. Denbighshire does not currently have any authorised sites for gypsies and travellers.
- 4.8 A previous assessment was completed in March 2013 on a North West Wales Regional basis and was undertaken by Bangor University. The previous assessment identified:
- a need for 2 residential pitches in Denbighshire for the period up to 2016
 - a need for a transit site on the border of Conwy and Denbighshire.
- 4.10 The 2016 study used a wide range of methods to engage with this hard-to-reach group. It initially consisted of gathering data from a number of sources including the 2011 Census, education & Betsi Cadwaladr University Health Board. The study was publicised to ensure that the travelling community were aware of the study and were encouraged to participate. Fieldwork and data collection for the survey was undertaken by Opinion Research Services on behalf of Denbighshire County Council and Conwy County Borough Council. Gypsy and Traveller households who had been identified were interviewed by ORS fieldworkers to assess their needs. Chapter 3 of the report provides further details on the methodology used.
- 4.11 The 2016 Gypsy Traveller Accommodation Needs Assessment has revealed the following:
- There is a clear need for a transit site(s) or stopping place given the incidence of unauthorised encampments

- Two gypsy households who currently live in houses (bricks and mortar) have expressed a preference to live on a site. In terms of housing needs they do not appear to be showing evidence of immediate need but would like gypsy/ traveller site provision.

4.12 Once approved by Cabinet, the Denbighshire 2016 Gypsy Traveller Accommodation Assessment Report will be submitted to Welsh Government. The report concludes that there is a need for a transit site or stopping place in the north of the County and under the provisions of the Housing (Wales) Act, the Council will be required to address this need.

4.13 The need for any future provision of sites is a regional issue given the movement of Gypsies and Travellers in North Wales and the limited Welsh Government funding available for sites. New guidance from Welsh Government on Gypsy and Traveller Site Capital Grant specifies “You are encouraged to consider a regional approach in relation to the development of new Gypsy and Traveller transit sites” (page 7). A regional approach to site identification is the best way forward and Members are requested to support this proposal.

5. How does the decision contribute to the Corporate Priorities?

The relevant Corporate Priorities are:

- Vulnerable people are protected and are able to live as independently as possible
- Ensuring access to quality housing.

6. What will it cost and how will it affect other services?

The cost of the Gypsy and Traveller Accommodation Assessment is being shared with Conwy County Borough Council and has been factored into existing budgets. Further investigation will be needed into any costs once a decision is made about whether there is a need or not in terms of gypsy and traveller provision. Local Authorities can potentially access funding from the Welsh Government towards the cost of developing new Gypsy and Traveller sites if necessary.

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report

An EqIA is not considered necessary for this decision. The report relates to a technical assessment and does not propose new procedures or policies.

8. What consultations have been carried out with Scrutiny and others?

Consultation has been undertaken through a range of methods:

- Regularly discussed at the Lead Officers Group
- Discussed at North Wales Gypsy & Traveller Co-ordination meetings (includes representatives from Welsh Government, Local Authorities, Police and Betsi Cadwaladr University Health Board)
- Notification sent to all Councillors to inform them of the Gypsy and Traveller Accommodation Assessment and request for any information to inform the study

- Discussed as part of the Housing Strategy, including Council on 1st December 2016
- Gypsy Traveller Accommodation Assessment Joint Steering Group meeting
- Adverts aiming to raise awareness of the assessment work with gypsies and travellers placed in Traveller Times and other publications by Opinion Research Services and Welsh Government
- Interviews undertaken with Gypsies and Travellers by Opinion Research Services.

9. Chief Finance Officer Statement

Denbighshire's share of the costs of the Gypsy and Traveller Accommodation Assessment will be contained within existing revenue budgets in the current financial year. If, in due course it is determined that there is a need to make gypsy and traveller provision then the funding of any costs of doing so will need to be identified and agreed by the Council.

10. What risks are there and is there anything we can do to reduce them?

- 10.1 Unlawful encampments on Council and private land will continue if the housing needs of Gypsies and Travellers are not met. Resolving such unlawful encampments will inevitably result in costs for the authority. Provision for transit accommodation would help to address this issue.
- 10.2 The two households referred to above who have expressed a preference for living on a permanent site could challenge the Council for not providing a permanent gypsy and traveller site. However, these households have not demonstrated evidence of immediate housing need.

11. Power to make the Decision

Housing (Wales) Act 2014 – part 3