

Report to: Communities Scrutiny Committee

Date of Meeting: 14th March 2019

Lead Member / Officer: Lead Member for Housing, Regulation and the Environment/Corporate Director: Communities

Report Author: Lead Officer Property and Housing Stock

Title: Gypsy & Traveller Site Provision – Update following the Pre Planning Consultation Process

1. What is the report about?

- 1.1 The report provides an update for Communities Scrutiny Committee following the pre planning consultation exercise undertaken in respect of the provision of residential and transit Gypsy & Traveller sites.
- 1.2 The report provides a breakdown and overview of the responses to the Council's Pre Planning Consultation process.

2. What is the reason for making this report?

- 2.1 To ensure that the Council is discharging its statutory duties in respect of relevant legislation as set out in Appendix 1 of this report.
- 2.2 To provide Communities Scrutiny Committee with a breakdown of the responses received.

3. What are the Recommendations?

- 3.1 That Communities Scrutiny Committee consider the analysis of the pre planning consultation exercise undertaken in respect of proposed transit and residential Gypsy & Traveller sites on the Green-gates Farm (East) site in St Asaph as outlined in Appendix 2 of this report.

4. Report details

- 4.1 A decision was taken at Cabinet on 15th October 2018 to progress with two locations for a residential Gypsy and Traveller site and a transit Gypsy and Traveller site on land at Green-gates Farm St Asaph to formal planning application stage.
- 4.2 It had previously been agreed that, despite there being no obligation to do so, a pre planning consultation exercise would be undertaken prior to any formal planning application. The rationale and details of the pre planning consultation exercise are included in Appendix 3.

- 4.3 Following the Cabinet resolution a meeting was held on 18th October 2018 with the Lead Member for Housing, Regulation and the Environment and the Local Ward Members for St Asaph West, St Asaph East and Trefnant. The Local Ward Member for Bodelwyddan was unable to attend. The pre planning consultation process was discussed together with clarification of roles. Notes of this meeting are included in Appendix 4.
- 4.4 Letters were drafted for the Local Ward Member for copying and wider distribution as requested at the meeting held on 18th October 2018.
- 4.5 As separate planning applications would be submitted for the transit and residential Gypsy & Traveller sites, two separate consultation documents were produced and two separate consultation exercises undertaken in tandem.
- 4.6 774 responses have been received and 4526 issues categorised. Should either proposal progress to formal planning stage, a pre planning consultation report will be written based on the responses and included with any formal planning application submitted. Categorised responses and accompanying analysis are included in Appendix 2.
- 4.7 It should be noted that while the analysis covers the main issues, the consultation exercise required free text responses and did not stipulate categories for response. It should also be noted that there is some flexibility in measuring the responses, particularly where responses could be interpreted in two separate ways or where there was duplication within the same response.
- 4.8 It is also pertinent to note that organised campaigns of objection utilised and circulated standard response templates (some of which were expanded on by individuals) which may have increased the number of responses to certain issues that individual respondents would not have independently considered. It should be noted that the issues raised as examples do not represent the opinions of the Council and are included only to demonstrate the general content of responses received.

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

5.1 Housing:

“Everyone is supported to live in homes that meet their needs”

“Support young people to access suitable homes they can afford”

“A wide range of accommodation available to suit different needs”

5.2 Denbighshire’s equalities commitment:

“In our approach to mainstreaming equality and diversity, we confirm our commitment to celebrating diversity and promoting equality in everything we do, to improve the quality of life for everyone living, working and visiting Denbighshire. This commitment is demonstrated throughout the activities which take place in our Corporate Plan and our Service Business Plans.

This plan is designed to allow the Council to play its role, as a public authority, in ensuring that we coordinate our work to take forward positive outcomes for people of all protected characteristics.”

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

- 6.1 £179,960 has been allocated to bring both sites forward and obtain Planning Approval.
- 6.2 Further costs regarding operation and management of the facilities will be identified as part of a separate report. Facilities Management, Property and Housing will be impacted upon once the facilities are operational and this is subject to the development of a management structure.

7. What are the main conclusions of the Well-being Impact Assessment?

- 7.1 The WBIA has been reviewed by the Critical Friends group and the recommendation is to now split the WBIA's and undertake one for each site. Based on information within the project plan and the WBIA's to date and taking into account the size of the proposals, the group considered the impact to be neutral, however it was felt that there would be a positive impact for the families identified with a need for a residential site. There was concern that delivering a transit site in such close proximity to the residential site could create a negative impact for the residential site tenants due to the possible conflict that could arise. A WBIA review meeting was arranged for 21 February, the conclusions of that meeting were not available at the time of writing this report but will be shared with the Committee ahead of the meeting on 14 March.

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

- 8.1 A project update was presented to Cabinet Briefing on 3rd July 2017, 4th December 2017, 5th March 2018 and 9th July 2018. A report on the outcome of detailed feasibility studies of 5 shortlisted sites was presented to AMG on 13th March 2018. A report on the preferred land options was approved by Cabinet on 24 April 2018. Updates have also been provide to CET on 26th June, 2nd October, 14th November 2017, 12th February and 25th June 2018. Reports have been taken to Strategic Investment Group on 21st November 2017 and 22 May 2018.
- 8.2 A further report was presented to Cabinet on 25th September 2018. The report was reviewed by Communities Scrutiny Committee on 11th October 2018 and by Cabinet again on 15th October 2018.
- 8.3 A pre planning consultation exercise was commenced on 24th October 2018 and ran until 25th November 2018. As part of this process, a public drop in session was held on 6th November 2018.

9. Chief Finance Officer Statement

- 9.1 The legislation and process highlighted in the report sets out the council's obligations and what it is required to do to meet them. Whilst there is grant support available from government to help to develop sites to deliver these obligations, it does not cover all of the costs – in particular the costs associated with the acquisition of land or to recognise opportunity costs if council owned land is used. Furthermore, until

more detailed plans are developed, it cannot be guaranteed that all development costs will be contained within the grant funding available. There is also likely to be an additional net revenue budget pressure to run the sites once they are developed. Final proposals will need to be taken through the appropriate channels for approval, including the Strategic Investment Group and any revenue implications will have to be considered in future budget rounds.

10 Corporate Landlord Statement

- 10.1 The provision of the facilities will meet the Council's legislative obligations. The feasibility works undertaken to date have considered technical development appraisal and the potential land costs (purchase or opportunity costs), but detailed development costs may still influence the final decision to develop the proposed sites pending planning approval.
- 10.2 The ongoing management/revenue costs are not included at this stage as the final site proposals have the potential of impacting on the management model.

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

- 11.1 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 suitable accommodation would help to address this issue. The obligation to address accommodation needs identified through the Gypsy & Traveller Accommodation Needs Assessment is a statutory requirement as set out in the Housing (Wales) Act 2014 and failure to act on the recommendations of the Assessment could result in legal challenge and/or direction from Welsh Government.
- 11.2 Grant funding is available from Welsh Government for the development of Gypsy & Traveller sites, however this fund is insufficient to meet the requirement across Wales and funding bids can normally only be submitted annually and during a specified time period. Failure to progress the site identification process will negatively impact on the local authority's ability to apply for, and secure, this funding, which may result in the total cost of site provision having to be met by the local authority.

12. Power to make the Decision

- 12.1 Housing (Wales) Act 2014 – part 3
- 12.2 Scrutiny's powers in relation to this matter are outlined in Sections 7.2.3 and 7.4.2(d) of the Council's Constitution.

Contact Officer:

Lead Officer Property and Housing Stock
Tel: 01824 706818