

**Report to:** Communities Scrutiny Committee

**Date of Meeting:** 17<sup>th</sup> October 2013

**Lead Member:** Lead Member for Customers and Communities

**Report Author:** Housing, Care and Support Manager

**Title:** North Wales Regional Gypsy & Traveller Accommodation Needs Assessment

---

**1. What is the report about?**

The North Wales Gypsies and Traveller Accommodation Needs Assessment.

**2. What is the reason for making this report?**

The purpose of this report is to provide information regarding the North Wales Gypsy and Traveller Accommodation Needs Assessment (GTANA) undertaken by Bangor University.

The North Wales County Councils of Denbighshire, Flintshire, Conwy, Ynys Môn, and Gwynedd jointly commissioned Bangor University to undertake research and assess unmet accommodation need for Gypsies and Travellers.

The collaborative approach is in line with Welsh Government guidance which urges “local authorities to work in a regional capacity and share the legal, moral, financial and political responsibility to address the accommodation inequality experienced by the Gypsy and Traveller community in Wales” (Travelling to a Better Future, Welsh Government).

**3. What are the Recommendations of this Report?**

That the Committee:

3.1 notes and provides observations on the recommendations of the “Bangor University Report”; that Denbighshire County Council shall be required to provide 2 residential pitches for Gypsies and Travellers (each of which could accommodate up to 4 caravans) and one transit pitch which could accommodate up to 7 caravans on a short term basis - to be developed on a sub regional basis with Conwy County Borough Council; and

3.2 supports the proposed composition and remit of the steering group, as outlined in Appendix 2, to drive the recommendations forward.

#### **4. Report details.**

The Executive Summary to the Bangor University North Wales GTANA contains key findings and recommendations and is attached for reference (Appendix 1).

Current site provision across the partaking Local Authorities is a total of 78 pitches; 66 of which are situated within Flintshire and 12 within Gwynedd.

The findings of the Report indicate that by 2016 the site provision needs to be increased by a further 62 residential pitches and 28 transit caravan spaces. The growth requirement for residential pitches is identified per Local Authority; whereas for transit requirements it is identified only as a regional figure.

It is recommended that collaboratively the partaking Local Authorities identify and develop three or four transit sites across the region each accommodating up to seven caravans.

In terms of static provision it is identified that Denbighshire County Council (DCC) should make provision for two residential pitches.

The advice from DCC Legal Services is that the GTANA be adopted as it has identified an accommodation need within Denbighshire which the Council will be obliged to respond to. This requirement upon local authorities is to be further strengthened by Welsh Government in the forthcoming White Paper whereby Local Authorities are to be mandated to provide sites for the Gypsy and Traveller community where there is evidence that a need exists. This said it important for the Council to open up a dialogue with the Gypsy and Traveller Community to ensure their needs will be met by the proposed sites that may be offered.

It should be noted that Conwy County Borough Council is undergoing a similar process and the working group shall take the opportunity to collaborate where appropriate, particularly in relation to the provision of a sub regional transit pitch.

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

Within its Corporate Plan Denbighshire County Council lists the following as priorities

- Vulnerable People are protected and are able to live as independently as possible
- Ensuring access to good quality housing

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

##### **Additional Resources needed**

##### **Financial**

Should the Council decide to develop site provision there could be a capital cost including land acquisition and provision of services. It is worth noting that Welsh Government grant assistance can be applied for to assist in meeting these costs; but these are limited and are subject to a bidding process.

There may be ongoing management and supervisory responsibilities which will be built into the site appraisal process. Options for site management including whether it is possible to host the service in house, outsource or develop a collaborative approach shall be considered as part of an options appraisal.

It is possible that the Gypsy and Traveller Community might want to purchase land and develop their own site. In this circumstance the Council's role would be to help identify suitable sites within the context of the Local Development Plan (LDP) and ensure subsequent development meet statutory requirements.

It is not possible at this stage to state what the resource requirements will be necessarily as no sites have yet been identified. Any proposed sites will be supported by a business case as part of the options appraisal process.

## **7. What consultations have been carried out and has an Equality Impact Assessment Screening been undertaken?**

Gypsies and Irish Travellers are distinct recognised racial or ethnic groups under Race Relations case law and all the duties on public bodies under Race Relations legislation apply.

The assessment of Gypsy and Traveller accommodation is a statutory requirement under s.225 of the Housing Act 2004, The Welsh Assembly Government requires local authorities to fully assess Gypsy and Traveller accommodation needs in mainstreaming their coverage within their local housing strategy.

“Homes for Wales – A White Paper for Better Lives and Communities 2012 ” introduces a statutory duty on local authorities to provide sites for Gypsy and Traveller communities where need has been identified.

Note the Gypsy and Traveller Community across the Local Authorities involved in the Bangor University “Assessment” were consulted in identifying accommodation need.

An Equality Impact Assessment (EIA) on the findings of the Bangor University GTANA has not been undertaken at this point in time. However clearly there is potential for the Gypsy and Traveller Community to be treated less favourably than other racial groups within Denbighshire if the findings of the report are not accepted and acted upon. A full EIA will be completed as part of the option appraisals for any recommendations made by the steering group to Council.

## **8. Chief Finance Officer Statement**

Costs relating to the creation of residential and transit pitches are not presently available and shall be subject to the provision of a business case detailing the financial implications for the Council for any sites due for recommendation.

## **9. What risks are there and is there anything we can do to reduce them?**

The data collected through the “Accommodation Assessment” process informs the preparation of Local Development Plans. One of the tests of the soundness of a draft Local Development Plan at its examination is whether it is founded on robust and credible evidence

At the time the Denbighshire LDP was formulated the regional North Wales GTANA had not been fully concluded; however the Denbighshire LDP has been written in such a way as to accommodate future updates based on available data and evidence. Given that the GTANA has now been concluded and a need identified for site provision in the County, DCC could face legal challenge under the Equalities Act if planning permission was refused for an otherwise acceptable site.

Flintshire County Council has adopted the “GTANA” and Conwy CBC has published it at the request of the Inspector who undertook the inspection of their LDP. The County Councils who commissioned the GTANA are each taking the findings through their respective political processes. It is also worth noting that both Flintshire and Wrexham are seeking to expand their sites by up to 30 caravans and to provide additional transit sites. Conwy Local Development Plan commits the Authority to find a suitable site for planning consideration by March 2014, whilst Gwynedd already provide a site for Travellers and Anglesey are looking to take a paper to members to seek approval for the provision of sites for Gypsy and Travellers.

There is a therefore a risk that Denbighshire will be singled out as the only Local Authority not to have adopted the GTANA which could result in further scrutiny/sanction from Welsh Government and potential legal challenge from the Gypsy and Traveller Community.

Should the Council fail to provide appropriate sites for the Gypsy and Traveller Community then the number of illegal encampments is likely to continue and possibly escalate. It is worth noting that there have been 24 instances of illegal encampment by Gypsies and Travellers in the last 3 years and every Local Authority in North Wales have experienced an increase in illegal encampments over the last two years.

It is worth noting that one local business recently expressed concerns to officers regarding the damaging impact of illegal encampments upon potential distribution of supplies and access to sites. The business in question intimated that they would consider relocating their business elsewhere if the Council did not address the issue therefore there is a danger that the local economy shall be adversely affected should the Council not provide sites in accordance with the report recommendations.

## **10. Power to make the Decision**

Article 6.3.2(a) of the Council’s Constitution provides the committee with the power to make recommendations in connection with the discharge of the Authority’s functions.

### **Contact Officer:**

Housing Care and Support Manager  
Tel: 01824 712954