

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 DECEMBER 2020

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT 2020

1. Purpose of report

- 1.1 The purpose of this report is to outline the findings of the Gypsy and Traveller Accommodation Assessment (GTAA) and seek authorisation to submit the Assessment to Welsh Ministers for approval. This will allow the Local Housing Authority to fulfil its statutory duty and enable the statutory deposit Local Development Plan (LDP) consultation to proceed as per the Delivery Agreement.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:-
1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.

3. Background

- 3.1 The Local Housing Authority has a statutory duty to carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area under Part 3 of the Housing (Wales) Act 2014. The Act requires Local Housing Authorities to undertake a GTAA at least every 5 years, although there is flexibility to undertake GTAAs more frequently if a material change in the level of need in the area has been identified. The GTAA must be subject to consultation and submitted to Welsh Ministers for approval. If an approved assessment identifies need for additional pitches within an Authority's area, the Local Housing Authority has a legal duty to ensure that need is met by exercising its powers under section 56 of the Mobile Homes (Wales) Act 2013.
- 3.2 The Town and Country Planning (Local Development Plan) (Wales) Regulation 17 (LDPR 17) requires the Council to publish its deposit Local Development Plan (LDP) for public inspection and consultation before submitting it to Welsh Government. Welsh Government wrote to all Local Authorities in September 2019 to confirm those undertaking an LDP Review must ensure the GTAA establishes an evidence base

for Gypsy and Traveller needs across the entire plan period. Welsh Government also confirmed that this may necessitate undertaking of a new GTAA (and providing appropriate site allocations, where relevant) prior to the statutory deposit LDP consultation to ensure plans can be found sound through the examination process and are able to be adopted.

- 3.3 The Council last published a GTAA in 2016 (covering the period up to 2031) and the Local Housing Authority would have therefore been required to review this Assessment in 2021. However, as the Replacement LDP covers the period 2018-2033 and consultation on the deposit LDP is scheduled for early 2021, a slightly early review of the GTAA is necessary to comply with the LDP Delivery Agreement.

4. Current situation/proposal

- 4.1 Work on a revised GTAA began in November 2019 in accordance with Welsh Government Guidance. A final draft report was completed in May 2020. The revised GTAA sought to understand the accommodation needs of the Gypsy and Traveller population in Bridgend County Borough through a combination of desk-based research, stakeholder engagement and consultation with members of the Travelling Community. In addition, a range of local stakeholders were invited to sit on a Project Steering Group. A total of 3 interviews were completed with Gypsies and Travellers living on authorised sites in Bridgend County Borough. In addition, an interview was completed with a Travelling Showperson household living at a site in Porthcawl, an interview was completed with a household living in bricks and mortar, and an interview was completed with a household living on a public site in another local authority with links to Bridgend. There are relatively low numbers of Gypsy and Traveller households that reside in or resort to the County Borough, yet this level of engagement indicates how comprehensively the GTAA was publicised. All primary interviews were successfully completed prior to the initial COVID-19 lockdown being imposed on 23rd March 2020.
- 4.2 The revised GTAA estimated a County Borough need of 5 pitches for the first 5 years of the GTAA period and a further 2 pitches for the remainder of the LDP period. The total estimated pitch provision needed for Gypsies and Travellers in Bridgend County Borough was identified as being 7 pitches up until 2033. This total was the projected amount of provision necessary for the Local Housing Authority to meet its statutory obligations towards identifiable needs of the population arising in the area. The need comprised of combination of doubled-up households, movement from bricks and mortar homes and new household formation. This need could be accommodated across two new sites and through intensification of existing sites as follows:

- i) There is need for one private site with up to three pitches (Family A). During the consultation, the respective family cited ownership of a private site in Pen-y-fai that may be suitable for these purposes.
- ii) There is a 'doubled-up' household currently residing on a private site in Coytrahen (Family B). This household indicated that they may be able to afford a private site or may need to rent a pitch on a public (i.e. Council managed) site. There are also two older children on the site whose future needs could potentially be accommodated on the same (new) site.
- iii) The remaining need has been identified from children living on private sites and could be addressed through the intensification of existing sites to increase the number of caravans that are currently permitted. In particular, there is a family with children living on a site in Pen-Y-Bryn (Family C) who indicated there may be room for additional mobile homes.

- 4.3 Progress on gaining approval for the GTAA has stalled since it was completed in May 2020. This presents a significant risk in terms of slippage to the Replacement LDP timetable as consultation on the deposit LDP cannot commence until the revised GTAA is approved by Welsh Ministers and suitable site(s) are allocated. As considerable time has passed since the Assessment was completed, there is also a risk that Welsh Government may now consider the findings out-of-date, although the impacts of the pandemic may allow for some flexibility in this respect.
- 4.4 The Replacement LDP must be clear on whether the situation has changed since the GTAA was published. For example, sites that have been granted planning permission since the GTAA was published will impact on the level of remaining need to be delivered through the plan. Where the need has changed from the GTAA this must be clearly expressed and justified.
- 4.5 Family A's needs could potentially be met through submission of a planning application on the private site in the family's ownership. This would be dependent on the size of the parcel of land and its suitability in planning terms. If an application was submitted prior to the adoption of the Replacement LDP, the application would be assessed against existing LDP Policy COM6. Otherwise, an appropriate allocation would need to be identified in the Replacement LDP.
- 4.6 The needs of Family B would also be better understood through a more detailed accommodation assessment by the Local Housing Authority. The family did not indicate that they currently own any land and an accommodation assessment would determine whether the family have the means to purchase a private site. This could

lead to submission of a planning application for assessment against existing LDP Policy COM6 and/or allocation of a site within the Replacement LDP as appropriate. However, if an accommodation assessment indicated the family do need a public site, this would place a duty on the Local Housing Authority to directly provide a site under section 56 of the Mobile Homes (Wales) Act 2013. A site would need to be allocated within the Replacement LDP and funding bids would need to be submitted to Welsh Government to secure Sites Capital Grant Funding to enable its development.

4.7 The needs of Family C could potentially be accommodated through intensification of the existing site, although this would be dependent on a more detailed accommodation assessment by the Local Housing Authority. These needs could be met through submission of a planning application, again facilitated through proactive engagement

4.8 In depth accommodation assessments have been initiated with all three families.

5. Effect upon policy framework and procedure rules

5.1 Submission of the GTAA to Welsh Ministers will enable the Local Housing Authority to discharge its duties under Part 3 of the Housing (Wales) Act 2014, following the guidance published under section 106 of the Act.

5.2 Town and Country Planning LDP 17 requires the Council to publish its deposit LDP for public inspection and consultation before submitting the LDP to Welsh Government. An approved GTAA will inform the deposit LDP and any related allocations, based on evidence of Gypsy and Traveller needs across the entire plan period.

6. Equality Impact Assessment

6.1 There are no direct implications associated with this report. However, the policies contained within the Replacement LDP will require an equalities impact assessment to be carried out.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The GTAA has been produced with close involvement of the Gypsy and Traveller Community, reflecting the diversity of the population the Council serves and whose well-being the Council is seeking to improve. The Assessment has recognised the needs of current and future generations of Gypsies and Travellers and has provided the opportunity for them to influence decisions about priorities and service delivery. This process has particularly contributed to the well-being goal of ensuring 'a Wales of Cohesive Communities'. This will, in turn, help inform development of the

Replacement LDP, which will be prepared in accordance with the 7 Wellbeing goals and the 5 ways of working as identified in the Act.

8. Financial implications

8.1 The GTAA itself has already been funded through Housing's core revenue budget. Development of any resulting private sites will be funded by the Travelling Community. If a public site is required, the Local Housing Authority would need to make an application for Welsh Government Sites Capital Grant funding in relation to Gypsy and Traveller sites. (Welsh Government annually review local authority funding needs and availability of Sites Capital Grant. It is therefore unlikely that the Council would be required to fund the capital costs directly). The latter scenario would also render to Local Housing Authority liable for the ongoing management of any site(s).

9. Recommendations

9.1 It is recommended that Cabinet:

- (a) Approve the Gypsy Traveller and Accommodation Assessment findings and Final Report (Appendix 1); and
- (b) Approve the Gypsy Traveller and Accommodation Assessment for submission to Welsh Ministers to enable the Council to fulfill its duty to meet assessed needs.

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Background documents: None