WELSH GOVERNMENT

Examination Hearing Statement

Anglesey and Gwynedd Joint Local Development Plan

Hearing Session 13: Gypsy and Traveller Provision

30th September 2016

(Session 13): Questions

1. Is the Plan based on a sound assessment of the accommodation needs of gypsies and travellers?

a. Is there an adequate assessment of need over the Plan period?

The methodology and assessment to identify the accommodation needs of Gypsy and Travellers as set out in the draft Gypsy and Traveller Needs Study is a matter for the local planning authorities to explain. The Welsh Government understands that the study is currently being considered by Welsh Government (Fairer Futures Division) and there is likely to be Ministerial sign off September 2016.

Level of need - Gypsy and Traveller Accommodation Needs Assessment 2016 & Composite Deposit Plan (Pages 161 – 162)

The draft assessment identifies a need for 15 permanent pitches, 4 in Anglesey and 11 in Gwynedd. The GTANA also identifies a need for 3 temporary stopping places, 2 in Anglesey and 1 in Caernarfon. There is no identified need for a permanent transit site.

However, what is unclear is whether the need is for the whole JLDP period or for the five year period to 2021. For example, Table 3 of the GTANA states that the unmet need for the 'plan period' is 11 pitches in Gwynedd and 4 pitches in Anglesey. Yet paragraph 7.4.90 of the composite plan states that the need is for five years. In addition paragraph 2.2 of Topic Paper 1B appears to confirm the need is for the plan period. This would benefit from clarification.

It would be helpful if the authority could explain this in order to ascertain as to whether the plan has made appropriate provision to deal with identified level of unmet need.

Paragraph 17 of Welsh Government Circular 30/2007 'Planning for Gypsies & Travellers' `states that *"where there is an assessment of unmet need for Gypsy and Traveller accommodation in the area, local planning authorities should allocate sufficient sites in LDPs to ensure that the identified pitch requirements for residential and transit use can be met."*

b. Does the Plan make adequate provision to meet the identified need of Gypsies and Travellers for permanent pitch communities? Is the provision suitably located to meet those needs?

Permanent Need

In respect of Gwynedd we note that Policy TAI12 allocates a permanent site to meet the identified need over the plan period (subject to the confirmation above).

The authority will need to demonstrate that the site is suitable and deliverable and accords with PPW, especially in relation to flood risk (C2 floor risk category).

The policy position in respect of Anglesey is that the need for 4 pitches will be considered in a site finding exercise to address the need. We note that new Topic Paper 18B (paragraphs 3.4 and 3.5) states that the Council's preferred position is that Land at Penhesgyn be selected as a 'possible allocation' to meet the identified need subject to the outcome of further work, namely health and safety issues and land ownership negotiations in relation to the adjoining land.

The Welsh Government considers that in respect of Anglesey sufficient provision has not made to meet the level of identified need (4 pitches). While we note the intention to allocate a site in the future, the Council need to explain the timescales for concluding this work and when a site would be allocated? How would the timescale relate to the timescales identified in the GTANA? Will a site be found/ delivered in the necessary timeframe?

Temporary Stopping Places

In respect of allocations, Temporary Stopping Places do not have to be allocated as part of the development plan process. However, this will be a matter for the authority to consider based on the local circumstances, although the authority will still need to meet its statutory duties under Section 103 of the Housing Act in this respect.

We would expect the LDP to contain the commitment to provide temporary stopping places (TSPs) set out in the reasoned justification. However, there is no specific need to see specific allocations in the plan as the nature of TSPs is that they move location as appropriate. If the LDP is to last for 15 years it wouldn't make sense to allocate a TSP if it will only be used for 28 days at a time. Nevertheless, the TSP is required to alleviate issues which can arise from encampments. Therefore, the reasoned justification should explain that TSPs will be provided and then the Council should identify those sites outside of the LDP process. This is different to the approach required if the Council was to develop a permanent residential site or a transit site, which are long-term land uses requiring a policy/allocation.

c. Does the Plan in combination with the plans of neighbouring authorities make adequate provision for transit sites?

This is for the authority to answer.

d. Can land identified to meet the needs of Gypsies and Travellers be delivered in a timely fashion?

See previous question (b). The authority need to ensure that the sites are allocated and deliverable, in the necessary timescales to meet the need.

2. Are the monitoring and implementation frameworks relating to gypsy and traveller accommodation sound, and sufficiently responsive to change?

a. Does the Plan include mechanisms that will enable any under provision to be identified and to trigger an appropriate response?

We note the revised monitoring framework includes a trigger to deliver permanent and temporary stopping places in line with the GTANA. However, the number of pitches is not specified; they should be. The monitoring framework makes no reference to the proposed allocation; it should do. In addition, the evidence base is unclear as to when exactly the 11 pitches at Llandygai need to be delivered. For example, will the site be delivered in phases, or as one?

In light of our previous comments, there are no references to the need to find, allocate and deliver a site for 4 pitches in Anglesey. The authority should clarify when a site will be delivered to meet the need, and how these timescales relate to the identified need. Clarity in this respect will inform the monitoring framework which will need to be amended to include robust monitoring indicators and triggers.

The Welsh Government considers that site specific indicators and trigger, linked to mitigation and progress should be included within the monitoring framework. This will ensure that the plan can respond quickly and effectively if any additional need of pitches were to arise.

The Welsh Government is prepared to work with the LPA to improve the framework, prior to the specific hearing session.

Any other business

The Welsh Government in its Deposit and Focussed Change responses made various comments in respect of the policy framework on Gypsy and Traveller sites. We are presuming as no questions are raised these have already been part of the deliberations?