

<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Report to:</b>	Partnership and Regeneration Scrutiny Committee The Executive Committee
<b>Date:</b>	13th May 2016 – Scrutiny 31 May 2016 - Executive
<b>Subject:</b>	Consultation on Gypsy and Traveller Sites in Anglesey – Temporary Stopping Place – Centre of the Island
<b>Portfolio Holder(s):</b>	Councillor Aled M Jones
<b>Head of Service:</b>	Shan L Williams, Head of Housing Services
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<b>Local Members:</b>	Councillors R G Parry OBE, D Rees, N Roberts

<b>A –Recommendation/s and reason/s</b>
<p><b>Recommendations:</b> following analysis of the responses to the consultation exercise and site assessment exercises outlined within the Report, it is recommended that:</p> <ol style="list-style-type: none"> <li>1. None of the two sites included in the consultation process should be progressed or included in the Local Development Plan.</li> <li>2. IACC should continue to work to identify alternative sites to meet the need for a temporary stopping place in the centre of the island, as identified in the statutory Gwynedd and Anglesey Gypsy and Traveller Accommodation Needs assessment 2016 and to comply with the Council’s duties under Part 3 of the Housing (Wales) Act 2014.</li> <li>3. IOACC should continue to fulfil its role to promote community cohesion. This must balance the needs of residents to feel safe and to be consulted on development issues with the recognition that the Council must act to counter racist attitudes and challenge inflammatory comments.</li> </ol> <p><b>Reasons</b></p> <p><u>Recommendation 1</u></p> <p>Significant factors have been highlighted during the consultation process for both sites on Mona Industrial Estate, which mean that they are unsuitable. A summary of the consultation is provided later in the report. However, as outlined below, certain critical issues were raised that means these sites cannot be considered suitable for</p>

inclusion in the Local Development plan and proceed to a planning application.

The Defence Infrastructure Organisation (DIO), on behalf of the Ministry of Defence, object to both sites on the ground of safety issues. They note that there have been two crashes at the site in recent history where debris has fallen in the area of the sites. They also note that rubbish is often thrown over the boundary fence, which can attract birds which are a danger to aircraft.

The Royal Air Force's letter also referred to air safety and operative issues relating to trespassing and fly-tipping and that the proposed sites could lead to increased risk of runway incursions and foreign object damage to aircraft.

### Recommendation 2

The Council must continue to seek a suitable site in order to fulfill its duty under part 3 of the Housing (Wales) Act 2014. The Welsh Government has powers to direct the Council to act if reasonable progress is not made. The Council must also include sites in the Joint Local Development Plan or face a high risk that the plan will be found unsound.

### Recommendation 3

Gypsies and Travellers are a recognised ethnic minority and are therefore protected by the provisions of the Equality Act 2010. The Council has an important role to play in creating understanding and addressing prejudice to this minority group. There was evidence that rumours and misconceptions about the type and size of the site proposed arose in the course of the consultation period. Some of the responses to the consultation were disparaging and inaccurate.

## **Background**

The Housing (Wales) Act 2014 places a duty on Local Authorities to provide sites for Gypsies and Travellers where a need has been identified. The Welsh Government's *Travelling to a Better Future* describes Gypsies and Travellers as having long been one of the most disenfranchised and marginalised groups in society. The Welsh Government is committed to redressing the inequalities faced by Gypsies and Travellers by improving equality of opportunity for all.

The Anglesey and Gwynedd Gypsy and Travellers Accommodation Needs Assessment 2016, undertaken in accordance with the Welsh Government statutory guidance on Undertaking Gypsy and Traveller Accommodation Assessments, identified need for both permanent and transit sites in the two local authority areas.

During the course of the consultation period in February – March 2016 an

unauthorised encampment took place by a group of gypsy travellers on land at Mona Industrial Estate. Consultation took place with all households at the encampment via a consultant from Unity, an organisation which has experience in offering advocacy to Gypsy and Travellers in Wales. Their views are reported later in the report.

### **Type of sites which need to be provided and size**

Evidence from the Council's own records of unauthorised encampments indicate that the A5 – A55 corridor is where need is greatest.

The Anglesey and Gwynedd Gypsy and Travellers Accommodation Needs Assessment 2016 identified a need for a temporary stopping place for the centre of the Island with capacity for up to 15 caravans.

The Mona Industrial Estate is a popular stopping place for Gypsy Travellers, with a relatively large group of Gypsy Travellers choosing to stay for 2-3 weeks in July/August each year, although recently unauthorised encampments have also appeared over the winter months.

### **Supporting information including options considered:**

Two sites, as noted below, were included in the consultation process as potential shortlisted sites in the centre of the Island:

- Vacant land at Mona Industrial Estate Site A (nearest to Mona airfield)
- Vacant land at Mona Industrial Estate Site B

### **Summary of consultation**

- **Questionnaire responses**

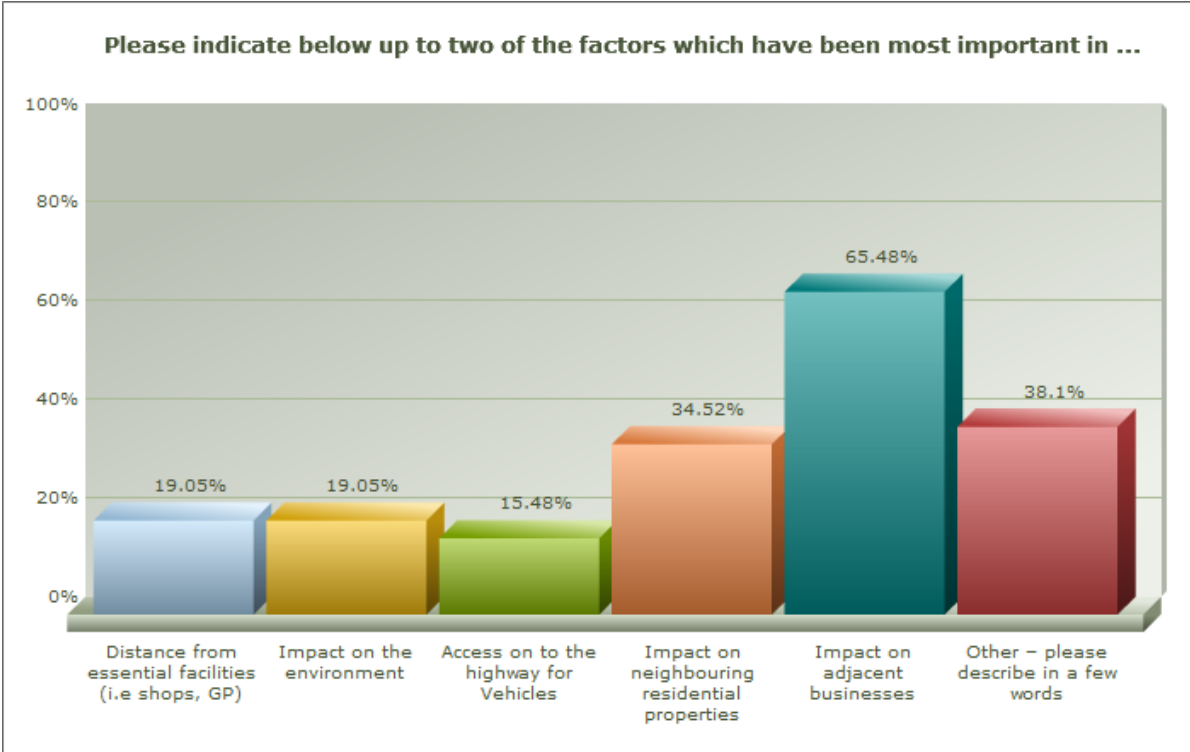
92 questionnaires were completed and returned.

The table below sets out the responses to the first question in the questionnaire which requested respondents rank the consultation sites, using 1 for preferred site and 2 for least preferred site. 60 of the respondents chose not to select either site.

	First Choice	Second Choice
Vacant land at Mona Industrial Estate – Site A	24	8

Vacant land at Mona Industrial Estate – Site B	8	24
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The graph below indicates the response received to the final question in the questionnaire which requested respondents to indicate which two factors were most important in their choice of site.



The chart above indicates that the respondents to the questionnaire consider that the impact on adjacent businesses is an important factor for site selection, alongside the impact on neighbouring residential properties and other issues.

A Public Meeting arranged by Bodffordd Community Council was held at the Anglesey Agricultural Showground on 25<sup>th</sup> February 2016, with around 130 people in attendance.

**Summary of comments received**

The tables below summarise the theme of comments made most frequently via letter, email or the questionnaires and other issues raised that have direct impact on determining suitability and reasonableness of selecting individual sites.

The issues stated below were in nearly all cases common to both sites A and B at Mona Industrial Estate.

<b>Issue</b>	<b>Summary of comments from consultees</b>	<b>Officer Response to the comment (provided where clarification or factual information can be provided)</b>
Not in a rural location	Would have a negative impact on archaeology, local residents, farming and business communities	Noted
Risk to Park and Ride provision	Concern over continued provision of Park and Ride facility with possible risk of reduced parking numbers	Noted
Contaminated land	Reference to site B being contaminated	Noted
Negative impact on local businesses and job creation	Economic development and job creation should be prioritised and safeguarded	Noted
Business employee safety	Employees are reluctant to work late in the evenings for fear of intimidation	Noted
Property insurance cover and security	Possible risk of increased insurance premium and other associated security costs. One business in particular is only able to obtain insurance cover from one of two companies. Failure to enjoy continued cover would seriously compromise the company's business operations placing 45 local jobs in jeopardy	Noted
Safety at existing business premises	Travellers, children and their dogs roaming and entering business premises without permission which pose health and safety concern	The creation of a temporary stopping place would create a more managed environment with sanctions available where site rules were disregarded.
Crime and Anti social behaviour	Potential increase in crime, vandalism, theft, Increased vulnerability by locals and trespass on private property	The Council cannot take into account responses to the the consultations that contain racist, discriminatory offensive, and inflammatory comments. North Wales

		Police have no record of increased crime when Gypsy Travellers are at the site.
Policing and monitoring of temporary site	How, and who, would police and monitor the temporary site on a regular basis	Noted
Welsh Government / Anglesey County Council land ownership	Welsh Government does not support the use of its own land within Enterprise Zones, the same reservations should apply to Anglesey County Council owned land	Noted
Health and Safety concerns for the temporary site occupiers	Some businesses operate 24/7 with large vehicles and heavy plant in operation Consideration should be given to the noise impact level being in close proximity to an operational RAF runway and an industrial estate as referred to in relevant planning policies and technical advise notes	Noted
Deposit of waste and other rubbish	Waste, rubbish and other materials are left on site, which are then blown all over the estate. To be collected at local ratepayers expense. Also attracts vermin	The creation of a temporary stopping place would create a more managed environment with refuse facilities. The absence of temporary stopping places means that there is a high likelihood that unauthorised encampments will continue with resulting environmental impacts.
Welsh Government guidelines for Gypsy and Traveller Sites	Reference is made to various sections within the guidelines as to why both sites would not be suitable	Noted
Protection of Employment Land under relevant Planning policies	Policy within the Ynys Môn UDP identify and protect employment related land against retail, leisure or housing development. Policy within the Joint Local Development Plan – Deposited Version seeks to safeguard land and units for	Noted

	<p>employment and business purposes, with employment land on safeguarded sites only being granted alternative use only in special circumstances</p>	
<p>RAF Mona operational airfield</p>	<p>RAF Mona is a relief airfield for RAF Valley and is well used. There have been two crashes in recent history with debris having fallen within the area of proposed site A.</p> <p>There would be a tangible increase in risk of runway incursion, Foreign Object Damage to aircraft and security.</p> <p>Increased level of fly tipping and trespass.</p> <p>Increased residential population near or within an active fast jet aircraft circuit.</p> <p>RAF Mona has a statutory safeguarding zone; height and technical safeguarding zones – all development and birdstrike safeguarding zone.</p> <p>The Secretary of State for Defence sold the land the two proposed sites occupy to the Council in 1994.</p> <p>Clause 3a of the conveyance states “That neither the property or any part thereof shall be used...for any purpose which may be or become a nuisance, danger, damage or annoyance to the owners or occupiers for the time being of the Retained Land or any part thereof”</p> <p>Clause 4a &amp; b are also applicable to site A and they state as follows “the Purchaser and its successors in title will not at</p>	<p>Noted</p>

	<p>any time....within the land....erect build or place any building or structure of any description whatever whether permanent or temporary and whether moveable or not without the previous consent in writing of the vendor....”</p> <p>The Defence Infrastructure Organisation on behalf of the Ministry of Defence state that the use of either proposed site A or B would not fulfil the obligations of the Council as agreed to by entering into the above restrictive covenant.</p>	
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**Consultation with Gypsies and Travellers encamped at Mona Industrial Estate**

During the course of the consultation period an unauthorised encampment was in place by a group of gypsy travellers on land at Mona Industrial Estate. Consultation took place with all households at this encampment via a consultant from Unity, an organisation which has experience in offering advocacy to Gypsy and Travellers in Wales. A questionnaire agreed between Unity and the Council was used to gain the views of those on the site to inform the consultation, but also on broader issues about facilities and use of temporary stopping places.

The six households were all of the opinion that of the two sites in the consultation, site A was preferable as it was more secluded. However the six households were also in agreement that as long as a site was provided on Anglesey the location was not overly important to them, as long as it wasn't too out of the way. Most agreed that the site should be located close to shop and facilities, although this was qualified by pointing out by several that they have use of a car. It was pointed out that any site created in the Holyhead area would predominantly be used by Irish Travellers crossing to and from Ireland. All households indicated their willingness to pay a weekly fee for the use of temporary stopping facilities with adequate facilities for their needs.

**B – What other options did you consider and why did you reject them and/or opt for this option?**



Not applicable

**C – Why is this a decision for the Executive?**

The Housing (Wales) Act 2014 places a statutory duty on local authorities to provide sites for Gypsies and Travellers where a need has been identified.

**D – Is this decision consistent with policy approved by the full Council?**

Not applicable

**DD – Is this decision within the budget approved by the Council?**

The Council's budget for 2016-17 includes capital funding to facilitate temporary stopping places.

<b>E – Who did you consult?</b>		<b>What did they say?</b>
1	<b>Chief Executive / Strategic Leadership Team (SLT)</b> (mandatory)	
2	<b>Finance / Section 151</b> (mandatory)	
3	<b>Legal / Monitoring Officer</b> (mandatory)	
5	<b>Human Resources (HR)</b>	
6	<b>Property</b>	
7	<b>Information Communication Technology (ICT)</b>	
8	<b>Scrutiny</b>	
9	<b>Local Members</b>	
10	<b>Any external bodies / other/s</b>	

**F – Risks and any mitigation (if relevant)**

1	<b>Economic</b>	
2	<b>Anti-poverty</b>	
3	<b>Crime and Disorder</b>	

<b>4</b>	<b>Environmental</b>	
<b>5</b>	<b>Equalities</b>	The report recognises that identifying sites for Gypsies and Travellers is an issue where the Council must be aware of its duties under the Equality Act 2010 and must take positive steps to promote community cohesion and prevent discrimination, harassment or victimisation of Gypsies and Travellers who are a protected group under the Act.
<b>6</b>	<b>Outcome Agreements</b>	
<b>7</b>	<b>Other</b>	

**FF - Appendices:**

- Consultation response from Defence Infrastructure Organisation
- Economic and Community Regeneration Services, IOACC
- Royal Air Force

**G - Background papers (please contact the author of the Report for any further information):**

1. Consultation Document, Consultation on Gypsy and Traveller sites on Anglesey, February 2016.
2. Gwynedd and Anglesey Gypsy Traveller Accommodation Assessment, February 2016 Executive 08/02/16 and Partnership and Economic Regeneration Committee 02/02/16.
3. Presentation and minutes of the Joint Gwynedd and Anglesey Local Development Plan Panel dated 20/11/15 'Meeting the accommodation needs of Gypsies and Travellers in the Plan'.