

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Partnership and Regeneration Scrutiny Committee The Executive Committee
Date:	Scrutiny Committee 13 th May 2016 The Executive 31 May 2016
Subject:	Consultation on Gypsy and Traveller Sites in Anglesey – Permanent Sites in the Menai Area
Portfolio Holder(s):	Councillor Aled M Jones
Head of Service:	Shan L Williams, Head of Housing Services
Report Author: Tel: E-mail:	Mike Evans Senior Planning Officer, Joint Planning Policy Unit. 01286 679825 mikeevans@gwynedd.gov.uk
Local Members:	Councillors Alwyn Rowlands Carwyn Jones Lewis Davies Alun Mummery Meirion Jones Jim Evans

A – Recommendation/s and reason/s
<p>Recommendations: 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"> 1. Revised Site 3 (as shown in Appendix 1), Land at Penhesgyn, near Penmynydd is selected for inclusion in the Joint Local Development Plan as a possible allocation to meet the accommodation needs of Gypsy Travellers identified in the latest available GTANA, subject to the outcome of the further investigations outlined below

2. Further investigative work will be undertaken by IACC confirm the suitability and deliverability of the above named site from a highway safety and health impact perspective.
3. IACC will continue to engage with the residents of the unauthorised encampment at the layby on the A5025 to gain a better understanding of their needs and wishes and to explain the Council's requirements. The Council will use an independent facilitator with experience of dealing with gypsy and traveller matters to assist with the above.
4. IACC will seek to involve the residents of the unauthorised encampments in the design and management of the proposed new site.
5. IACC will engage with local communities and key stakeholders regarding the proposals to develop the site with the aim of building community cohesion
6. IACC will enter into discussions with the owner of the two fields marked on the plan(Appendix 1) with a view to their purchase.

Reasons for each Recommendation:

1. Officers have assessed a number of alternative sites and have taken account of Welsh Government Guidance in developing its methodology to assess potential suitable sites. The three sites that were the subject of the recent consultation were considered to have the greatest potential for development as Gypsy Traveller Sites. All three sites have positive as well as negative factors that need to be considered. Having considered the advantages and disadvantages of each site on balance it is considered that Site 3 merits selection. For the reasons explained in this report, Revised Site 3 has been selected as a proposed allocation for a permanent residential site in the Joint Local Development Plan.

Gaerwen Smallholding is not considered suitable due to the cost associated with providing a supply of running water, as outlined in Dwr Cymru's response (Appendix 2). The layby on the A5025 between Menai Bridge and Pentraeth is not considered suitable due to the proximity to a busy and fast-moving A road, should there be children resident at the site, as highlighted by North Wales Police

(Appendix 2). Local residents have also expressed concern about the risk of a road accident since there are dogs on the site, and smoke from fires have been observed in the past.

2. Concerning Site3, further investigative work is required to address some of the highway safety and health Impact issue matters raised in the comments submitted.. Evidence suggests that these matters can be resolved. This work will be undertaken as part of the preparations for applying for planning permission.
3. Despite considerable efforts, IACC have had difficulties in consulting and engaging with the New Age Travellers living on the unauthorised tolerated encampment between Menai Bridge and Pentraeth. The use of an independent facilitator with experience of dealing with such hard to reach groups has assisted the Council in engaging with the New Age Travellers during the consultation process, and has enabled the residents to participate in the consultation. We propose continuing to use an independent facilitator when necessary in holding further meeting to talk about the process of providing a Traveller site.
4. Involving the New Travellers in the proposed design and management of the required site should help ensure that their views are taken into account.
5. In order to support community cohesion IACC will engage with local communities and key stakeholders in the process of providing an authorised site.
6. IACC will need to acquire one or both of the two fields referred to, in order to provide a suitable authorised residential site with a vehicular access that would meet highway requirements. The precise boundaries of the land to be developed will be determined at a later stage. Please note that not all the land shown on the attached plan will be required to accommodate the Travellers currently residing in the layby, Lon Pentraeth.

Background

The Housing (Wales) Act 2014 places a duty on Local Authorities to provide sites for Gypsies and travelers where a need has been identified. The Welsh Government Circular 30/2007 Planning for Gypsy and Traveller Caravan Sites also strengthens the

requirement that local authorities identify and make provision for sufficient appropriate sites in their Local Development Plans.

The Anglesey and Gwynedd Gypsy and Travellers Accommodation Needs Assessment 2016 (GTANA), undertaken in accordance with the Welsh Government identified needs for both permanent and transit sites in the two local authority areas. The (GTANA) 2016 identified the need for

- A permanent residential site to meet the needs of New Travellers arising from the unauthorised tolerated site at Pentraeth Road (four pitches)

Whilst visual and amenity impacts on surrounding communities and properties are important issues, there are existing planning policies in place to protect against unacceptably adverse impacts. It is accepted that finding suitable sites for Gypsy Travellers can become emotive during the planning process. However, planning decisions need to be taken in the wider public interest and in a rational way, informed by evidence, where these issues are balanced against other factors. Before an authorised Gypsy-Traveller site is developed, planning permission must be obtained. This stage in the process will provide details and certainty about matters such as vehicle access, site layout and design, landscaping. There will therefore be an opportunity for interested parties to make representations on the planning application before it is determined.

Type of sites which need to be provided and size

The GTANA (2016) provided evidence of the need to provide a permanent residential site to meet the needs of New Travellers living on the unauthorised tolerated site at Pentraeth Road (four pitches).

It is a requirement of Welsh Government that Local Authorities must carry out a GTANA every 5 years. Welsh Government acknowledge that it is difficult to accurately forecast needs over a longer period.

Officers consider that due regard has been taken of relevant Welsh Government advice and guidance in its approach to identifying possible permanent Gypsy and Traveller sites.

Justification for selecting Revised Site 3 to be taken forward into the JLDP

The following sites were included in the consultation as potential shortlisted sites

- Site 1. Existing encampment, layby A5025 between Menai Bridge and Pentraeth
- Site 2. Parcel of land at Gaerwen Smallholding
- Site 3. Land at Penhesgyn, near Penmynydd

Advantages and Disadvantages

The following tables set out in bullet form the perceived advantages and disadvantages of developing an authorised permanent site on each of the three sites.

Site 1. Existing encampment, layby A5025 between Menai Bridge and Pentraeth

Advantages	Disadvantages
<ul style="list-style-type: none"> • Use of this site would accord with preference of the existing residents to stay on this site • Existing water supply to site • Not many houses close to site • Current Site is reasonably well screened in Summer when trees are in leaf • Site located on bus route • Shops and services available in Menai Bridge 	<ul style="list-style-type: none"> • Proximity to very busy road • Improvements to vehicular access required • no/pavements nearby • Redevelopment and additional tree felling would make site more prominent • Redevelopment and loss of trees may be harmful to matters of conservation interest • On popular tourist route • Limited scope to extend site if additional pitches or children’s play area required in future • private rights of way are currently obstructed • For health and safety reasons it may be necessary to relocate residents and their properties for temporary period whilst site is redeveloped

Site 2. Parcel of land at Gaerwen Smallholding

Advantages	Disadvantages
<ul style="list-style-type: none"> • Not many houses close to site • Proximity to shops and community facilities in Gaerwen • Travellers could stay on existing site until new site is ready • Sufficient land available to create good environment for Travellers, including additional pitches and children's play area if required. • Near Bus route along A5 	<ul style="list-style-type: none"> • No existing water supply. significant cost in connecting to convenient water supply • Perceived threat to attractiveness of proposed Science Park • Creation of new vehicular access to comply with highway requirements would result in loss to existing hedgerow • Additional pavements may be required to improve pedestrian accessibility • Risks to pedestrians crossing access roads to and from A55 • Site in exposed location. Little shelter from prevailing winds •

Site 3 Land at Penhesgyn, near Penmynydd

Advantages	Disadvantages
<ul style="list-style-type: none"> • Not many houses close to site • Less passing traffic than current site • Travellers could stay on existing site until new site is ready for occupation • Sufficient land available to create good environment for travellers, including additional pitches and children's play area if required. • Purchase of private land to facilitate vehicular access would 	<ul style="list-style-type: none"> • Result in loss of greenfield land • Creation of new vehicular access to comply with highway requirements would result in loss to existing hedgerow • Purchase of private land required to provide safe vehicular access to site • The proximity of the Council's Recycling Centre could detract from the proposed residents enjoyment of this site.

(i) increase opportunities to widen and carry out improvements to adjoining highway and/ or (ii) provide an alternative location to accommodate the required pitches	
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Conclusions

As demonstrated above each site has strengths and weaknesses. Having considered these factors as well as the responses received during the public consultation it is considered that the availability of a water supply and road safety issues are the determining factors.

In terms of the availability of a water supply, Site 1 has an existing water supply. Having regard to comments received from Dwr Cymru Appendix 2, it would appear that the provision of mains water to Site 2 is likely to be costly because of the distance of some 700 m to the main supply to the north of the site. Whilst there is a nearer mains water pipe to the south of the A55, it would be problematic to provide a supply over the A55. The high cost of providing a mains water connection to this site would appear to rule it out for further consideration as a possible suitable Traveller site. There are no known issues in providing water to Site 3 from the existing supply at the Council's Recycling Centre.

In terms of road safety issues, Site 1 is not considered suitable due to the proximity to a busy and fast-moving A road as highlighted by North Wales Police (included in Appendix 2). This is a particular concern should there be children visiting the site. Local residents have also expressed concern about the risk of a road accident since there are dogs on the site and smoke from fires on the site have been observed in the past. A safe vehicular access can be provided to Sites 2 and 3, and both sites are located on minor roads.

A disadvantage associated with the possible redevelopment of the existing site is that the existing residents would probably need to be relocated for a temporary period to enable the necessary construction works to be completed

Whereas, widening the existing southerly access to the site and the carrying out of other

measures could reduce the risk of accidents and improve highway safety, a major disadvantage of this site is its relatively small size. It is not considered that this site could be extended to provide additional pitches. Sites 2 and 3 at Gaerwen and Penhesgyn could accommodate additional pitches and a play area if there is evidence to support their provision.

Summary of the findings of the independent Gypsy-Traveller Advocate

The independent advocate advised that the residents of the Pentraeth site felt very threatened by the recent media attention and that this attention has made them less willing to take part in consultations with the Council. The advocate succeeded in talking to three of the four households on site. The residents consider that they have many legitimate questions that need answering before they would feel comfortable with the consultation process. They expressed concerns about where they would temporarily be accommodated if their existing site is redeveloped, likely rental levels, what the site rules would be and proposed design and landscaping matters. Whilst the advocate has not been able to obtain the views of all the residents, he has advised that their stated preference would be to stay at their current site.

Whilst some useful information about the residents and their wishes was obtained during the consultation period, it is important that further dialogue and engagement takes place so that the Council can take account of the residents' views in the process of providing an authorised site and to enable the Council to explain their site and management requirements to the residents.

Summary of consultation

➤ Questionnaire responses

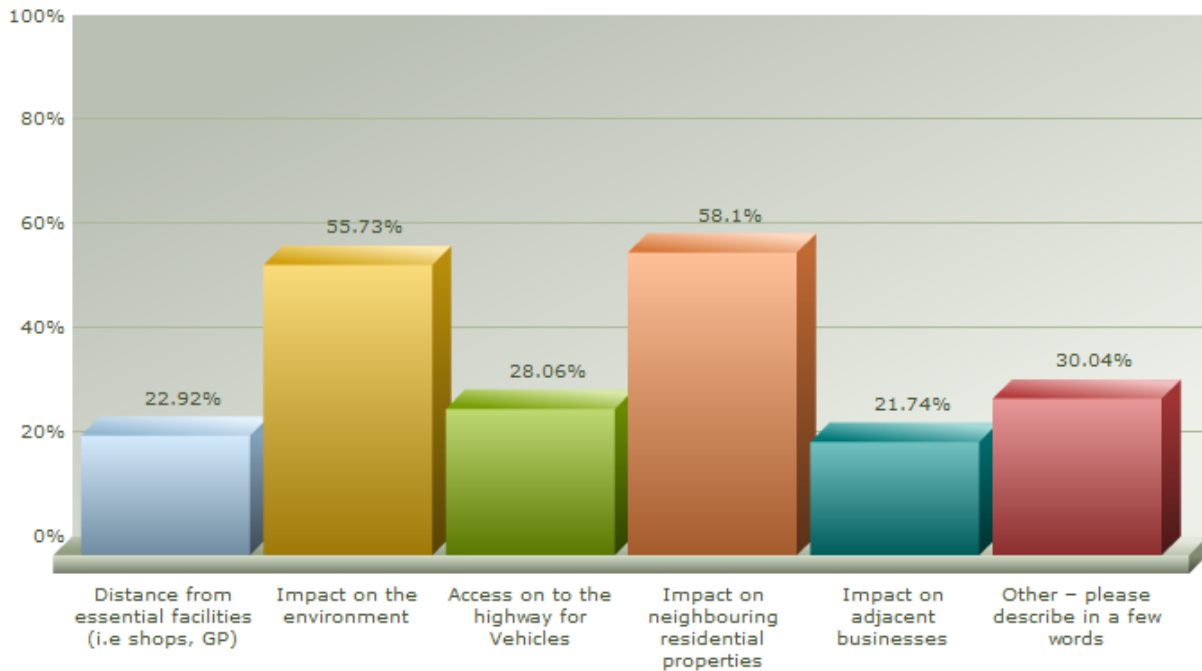
268 questionnaires were completed.

The following table sets out the responses to the first question in the consultation questionnaire which asked respondents to rank the consultation sites using 1 for preferred site and 3 for least preferred site. 30 respondents chose not to select any site.

	First choice	Second choice	Third choice
Site1. Existing encampment, layby A5025 between Menai Bridge and Pentraeth	77	36	125
Site 2. Parcel of land at Gaerwen Smallholding	90	64	84
Site 3 Land at Penhesgyn, near Penmynydd	71	138	29

The following graph shows the response to the final question in which respondents were asked to indicate the two factors, which were most important in their choice of site.

Please indicate below up to two of the factors which have been most important in ...



The above chart indicates that the respondents to the questionnaire consider that the two most important factors for site selection are impact on the environment 55.7% and impact on neighbouring residential properties 58.1%.

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.

Site 1. Existing encampment, layby A5025 between Menai Bridge and Pentraeth

Main Issues identified by respondents	Summary of comments from respondents	Officer Response to the comment
Highway matters	<p>The layby on the A5025 is not considered suitable for the following reasons:-</p> <p>Proximity to busy main road with no public footpath/pavement</p> <p>Young children and loose dogs on site and highway</p> <p>Poor visibility</p> <p>Increased risk of accidents associated with use.</p> <p>Danger to safety of road users and the Travellers themselves</p> <p>Smoke from site blows over road impairing vision of drivers</p>	<p>Highway Officers advise that the northern access does not conform with technical standards and recommend improvements to southern entrance.</p> <p>Further discussions required with Highways regarding possible access and highway improvements.</p> <p>The Council will require the site and all pitches on any authorised site to be provided with appropriately designed boundary treatments. This measure would reduce risk of animals and children straying onto the highway</p>
	Consider that highway safety could be improved	Noted (see above)
	Insufficient space to create good environment for travellers	It is considered that the site could be redesigned to provide a good environment for the residents.
Harm to Visual and	Unsightly mess and old vehicles and caravans.	It is considered that the site could be redesigned to

<p>environmental impacts</p>	<p>Additional tree felling would make site more prominent</p> <p>Consider that site should not be on a main road or screened from view. Council should take action to improve appearance of site.</p> <p>Consider that this site should be kept tidy</p> <p>Damaging to tourism</p>	<p>provide a good environment for the residents.</p> <p>Additional planting and landscaping, would reduce the prominence of the site especially in winter</p> <p>Rules will be put in place to limit the number of vehicles stored on site and to improve the appearance of the site</p>
<p>Too far from shops and essential facilities</p>	<p>The sites should be close to a community or village, not on green field out of town sites as government guidance states. - Mona Industrial Estate; Four Crosses Depot; Gaerwen Depot.</p> <p>The location of the site will alienate travellers and wont allow them to integrate with the community</p> <p>Greater opportunity for integration if site is provided closer to a town</p>	<p>The Council have found it difficult to identify possible sites that completely meet Welsh Government Guidance and meet the aspirations of the existing residents.</p>
<p>Cost</p>	<p>As the existing site holds a relatively small number of Travellers, I feel that housing should be made available to them. This would mean that no new site would have to be funded.</p>	<p>There is a duty on Councils to provide sufficient accommodation for Gypsies and Travellers where there is evidence of need. Some Gypsy Travellers have an aversion to living in bricks</p>

	<p>Waste of public money because of limited space for expansion</p> <p>This site could be the most cost effective to redevelop as Travellers already there</p> <p>Site costly to develop- stopping up highway and provision of utility services</p>	<p>and mortar accommodation.</p> <p>100% Funding is available from Welsh Government to provide permanent sites for Gypsy Travellers.</p> <p>Residents would be expected to pay rent and services, as do all tenants of social housing.</p> <p>No current need for expansion. The GTANA has calculated the current need and the need over the next 5 years. The need for Gypsy Traveller accommodation will be kept under review.</p>
Unsuitable for children and animals	Unsuitable for children and animals because of busy road	There are currently no children living permanently on the authorized site. The provision of a well-designed and managed site would improve living conditions for residents
Use of site	Travellers will not use any managed site provided	The Council intends to engage further with the residents to establish whether they would be prepared to live on a managed site and to explain the possible consequences should they refuse to live on an authorised site.
Site Management	Residents of authorised sites	Residents would be required

	may not abide by Council rules	to comply with their tenancy agreements. Failure to do so may lead to eviction.
Support for existing site	<p>Do not see any reason why they cannot stay on the current site. Well established. Easily accessed well known amongst travelling community less impact in terms of visual amenity</p> <p>Site should be made more useable and tidy.</p> <p>Site should be improved in accordance with WG Guidelines</p> <p>Site has not been troublesome</p>	Noted
Flooding	Concern of flooding	Considered that risk of flooding can be addressed by improving surface water drainage
Nature Conservation	Alleged habitat for red squirrels & bats	Comments received from Council's Ecology and Biodiversity Officer. Proposed removal of trees and vegetation and provision of lighting could trigger need for survey work and need for appropriate mitigation in design
Obstruction of right of way	Obstruction of right of way	The design of an authorised site would take any private

		rights of way into account. The site would be designed and managed to allow emergency vehicles to gain unobstructed access to each pitch and to avoid obstruction to existing private rights of way.
Pollution of water course	Concern over pollution of water course	Consider that this issue can be addressed by design and appropriate site management.
Trespass onto neighbouring land	Incidents of possible trespass were cited.	Noted
Welsh Language	Harm to Welsh language	The current need is to accommodate 4 households. Given the small scale of the need, it is not considered that the proposed use would significantly harm the Welsh language.
Other sites suggested	Closed schools old school Llanedwen Brownfield Land Parc Cybi near Truck Stop Mona Penhesgyn Pentre Berw Llangefni or other Industrial Estate by Police Station Shell Site, Amlwch Industrial Estate Four Crosses Menai Bridge Llanfairpwll	Some of these sites have already been assessed.

Concern over existing appearance of site and poor sanitation.	Concern over existing appearance of site and poor sanitation.	A suitably designed and managed site would significantly improve the appearance and sanitation of the current site.
Support for appropriate site provision	Support for appropriate site provision for Gypsy Travellers	Noted
General comments	Tenants should be bound by same rules as tenants of commercial caravan sites	Noted
Size of site	No room for expansion.	Noted

Site 2. Parcel of land at Gaerwen Smallholding

Main Issues identified by respondents	Summary of comments from respondents (residents)	Officer Response to the comment
Sewerage /surface water	Gaerwen has history of issues with surface water	Further consultations would need to be undertaken
Highway concerns	Impact of this development in addition to the proposed Science Park. Single-track highway not wide enough for two vehicles to pass or for towing caravans.	Highways officers advise that access and highway improvements required. Further discussions required with Highways regarding access and highway improvements.

	Highway improvements would harm character and appearance of the area	
Eyesore - detrimental to area	Elevated position too open and prominent. Near tourist viewing point	Not accepted that development of this site for Gypsies and travellers would be detrimental to the visual amenities of the area
Distance to shops and facilities	Too far from shops and essential facilities	Shops and facilities available in Gaerwen
Suitable for children	Safe for children	Noted
Other / Miscellaneous	Other sites available –not part of consultation Proposal at odds with intention to attract businesses to Science Park Not desirable to have GT Site so close to Science Park Site may be required for expansion of Science Parc Put additional strain on local services	Noted
Support for existing site	Travellers are happy on existing site. Why move them from existing site?	Noted
Health & Safety	Too near to A55. Danger to children when crossing road to shop	See highway comments
Support for Gaerwen site	Gaerwen is by far the most suitable from a safety	Noted

	viewpoint. This site has room to create good environment for travellers and allow for expansion unlike Pentraeth Site	
Environmental	Any development would harm character of area wildlife habitat. –open farmland. Would not provide continuity or enclosure. Concern that if site grows, its environmental impacts will increase Loss of farmland.	Council's Ecology and Biodiversity Officer advises that site does not appear to be of high ecological value .There may be a need for appropriate mitigation in design if ditches or watercourses affected. Not accepted that development of this site for Gypsies and travellers would be detrimental to the visual amenities of the area

Site 3 Land at Penhesgyn, near Penmynydd

Main Issues identified by respondents	Summary of comments from respondents (residents)	Officer Response to the comment
Environment And Wildlife	Concerned that change of use would harm wildlife and habitat aspects	Council's Ecology and Biodiversity Officer advises that bat survey might be required. There may be a need for appropriate mitigation in design
Access	No suitable access Existing highway single	Highways officers advise that access and highway improvements required.

	carriageway width in places	Further discussions required with Highways regarding access and possible highway improvements.
Visual Impact	Eyesore - detrimental to area	Not accepted that development of this site for Gypsies and travellers would be detrimental to the visual amenities of the area
Distance from shops and essential facilities	Too far from local amenities and public transport. Safer for residents	Noted
Cost	Private land would need to be purchased to provide suitable new access at Council expense. Costly to provide new access and utilities Cost of widening existing highway to provide 2 way traffic	Noted
Other / Miscellaneous	Discriminatory choice of site. stigmatization of marginalized group Inappropriate location for residential properties	Noted
Support for Penhesgyn	Room for expansion , if more demand in future unlike Pentraeth Least harm to tourism and	Noted

	environment	
Health & Safety	Penhesgyn site would be too close to the waste management site and may be unhealthy air-borne pollutants, landfill gas, composting. HIA required Noise	Amec Foster Wheeler were commissioned to undertake an air quality assessment of this site. The report concluded that air quality of particles and Nitrogen dioxide concentrations do not exceed AQO Air Quality Objective. However, bio aerosol reports have exceeded Environment Agency Acceptable Levels in previous years. The report therefore recommends on going monitoring and further guidance regarding the implications of this report
Safe site for the Travellers	Considered safe site for residential use.	Noted
Infrastructure, topography of land & utilities	Drainage very poor	Noted. Not all of land would be required for a site.
Compliance with WG Design Guidance	Proposed sites do not comply with locational WG Design Guidance	Officer opinion is that the principles of the guidance has been followed.
Concern over trespass and loose dogs straying	Concern that a site could lead to stray dogs on farmland and harm to sheep	Noted
Impact on nearby properties and farmland	Impact on property values	Noted but not a planning consideration.
Concern harmful to tourism industry	Potential impact on tourist businesses.	Site could be located and designed to minimise harm.

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

C – Why is 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?

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

E – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	
2	Finance / Section 151 (mandatory)	
3	Legal / Monitoring Officer (mandatory)	
5	Human Resources (HR)	
6	Property	
7	Information Communication	

	Technology (ICT)	
8	Scrutiny	
9	Local Members	
10	Any external bodies / other/s	

F – Risks and any mitigation (if relevant)		
1	Economic	
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	
5	Equalities	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.
6	Outcome Agreements	
7	Other	

FF - Appendices:
<p>Appendix 1 -Revised Site 3</p> <p>Appendix 2 - Letters from:</p> <p>Dwr Cymru North Wales Police Natural Resources Wales</p> <p>Penmynydd Community Council Cwm Cadnant Community Council Llanddona Community Council Llanfihangel Esceifiog Community Council MSParc Bangor University</p>

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'.
4. Anglesey and Gwynedd Joint Local Development Plan Reports to the Joint Planning Policy Committee 29/01/2016
5. Anglesey and Gwynedd Joint Local Development Plan Topic Report 18A Identifying Gypsy and Traveller Sites –update 2016