RECOMMENDATION TRACKING SHEET – UPDATE REPORT as at APRIL 2015

COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE

Provision of Accommodation for Gypsy and Traveller Households in Cardiff

Response from Executive: 6th October 2011

Response submitted to Scrutiny Committee: 15th November 2011

RECOMMENDATION	ACTION (Extracts from Executive Response)	Update as at APRIL 2015
R1. The Executive formally	Partly Accepted	The work identified below addresses the majority of these
accept that the Rover Way		Action Points.
Caravan Site is unsustainable	The Executive will set in motion a process	
and should close and therefore	of formal evaluation of the future of the	In relation to options for the future of the existing Rover way
task Officers to:	site. This will lead to a formal	site the Council commissioned Atkins to undertake a study of
a. work with the Gypsy &	recommendation to either close the site,	the sustainability of the Rover Way site and evaluate options
Traveller communities to	improve it or amend its use.	for the future use of the site. This study was completed in
identify and agree suitable	An action plan for taking forward this work	June 2013 and identified a series of improvements that would
criteria for the relocation of	will be produced. The action plan will	need to be implemented in line with the key recommendations
the Rover Way Caravan	respond to the recommendations and will	of the Welsh Government Good Practice Guide relating to the
Site, including testing out	be based on the following key areas of	design of Gypsy and Traveller sites. The essential
with the Gypsy & Traveller	work:	improvements relate to
communities the previous	Developing site selection criteria and	Provision of 'Flooding and Coastal Erosion' defences; and
criteria that referred to a	methodology for the identification of	Transport related infrastructure - to ensure a safe
two km radius for site	potential sites for Gypsy and Travellers,	environment for residents / visitors within the site and to
location and utilising the	including a replacement site for	provide good connections to the surrounding transport
Welsh Assembly	the Rover Way Caravan Site if required.	network.
Government guidance on	Developing and applying criteria and	
site location	methodology to evaluate the future	The study concluded that:
b. use the agreed criteria to	of the Rover way site, producing an	The 'Flooding and Coastal Erosion' defences would, in all
identify suitable sites	options report which would include	likelihood, prove challenging to implement due to the financial
c. undertake an option	the potential of either closure, improving or	costs associated with their provision and the potential need
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appraisal of the deliverability of the

- appraisal of the deliverability of the identified suitable sites, assessing the funding and viability of sites, including utilising Welsh Assembly Government capital grants and Council assets and resources
- d. utilise the above information to nominate a suitable and deliverable site in the LDP Deposit Plan as a replacement site for Rover Way Caravan Site
- e. carry out a feasibility study into the future use of the existing Rover Way Caravan Site as a transit site.

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converting the site for transit use.

- Applying the methodology and undertaking a Gypsy and Traveller Site Assessment to identify potential sites to meet both the need for new accommodation identified in the Gypsy and Traveller Accommodation Assessment and the potential need for a replacement site for the Rover Way Caravan Site. Such sites could then be included in the Local Development Plan (LDP).
- Assessing and reviewing the appropriate need and demand for Gypsy and Traveller accommodation for the LDP period of 2006 to 2026.

It is anticipated that by undertaking a three-stage approach, this would allow issues raised at each stage to be fully considered before moving onto the next stage. A brief for this work is currently being prepared. It is envisaged that the tendering process for this work will start in the autumn 2011 with a draft consultants report produced in summer 2012.

R1(a) Not accepted – Any previous criteria used such as a two km radius for site location was produced for the now

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for additional land take.

The proposed 'Transport and Access' improvements would also provide challenging to implement as they would necessitate a full re-design of the site and would significantly reduce the amount of land available for pitches. If the site were to be re-designed to provide pitches in accordance with Welsh Government recommendations (pitches of approximately 500m2) a maximum of 12 pitches could be constructed within the confines of the existing site. Furthermore, if the 3m clear boundary requirement (set out in the Good Practice Guide for fire precaution purposes) was also adhered to, the number of pitches within the site would need to be reduced even further.

In relation to reviewing the need for Gypsy and Traveller accommodation up to 2026 and developing and applying a site selection criteria and methodology for the identification of potential sites, including a potential replacement for the Rover Way site the Council commissioned Opinion Research Services/Peter Brett Associates to undertake a Gypsy and Traveller Study. The needs assessment was completed in April 2013 and found a need for 108 permanent Gypsy and Traveller pitches and a regional M4 corridor related need for 10 transit pitches up to 2026 The second part of the study relating to the identification of sites was completed in July 2013 and identified a list of potential sites to meet this need.

The recommendations of these studies fed into the preparation of the LDP Deposit Plan which was submitted for examination in August 2013. The Plan included an allocation for a new Gypsy and Traveller site of 65 pitches at Seawall

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	withdrawn 2006-2021 LDP and is no longer applicable. New site selection	Road near the existing Rover Way site.
	criteria will be produced as part of the action plan and will be outlined in the tender brief. R1(b) Not accepted - A new site selection criteria will be developed as part of the action plan and will be outlined in the tender brief.	However, at the Examination Hearing Session on Gypsy and Travellers the Inspectors recommended the deletion of the allocation at Seawall Road from the Plan due to its location in a high flood risk zone which national guidance states is unsuitable to highly vulnerable development such as Gypsy and Traveller pitches.
	R1(c) and (e) Accepted – These tasks are included in an action plan for taking forward this work. With regard to R1 (e), this will form part of the tender brief. R1(d) The need to replace the Rover Way Caravan Site is dependant on the outcome of the evaluation exercise outlined above. Given this it would not be appropriate to accept this recommendation in advance of this work.	The LDP Examination Inspectors also asked the Council to prepare a position statement on how the Council will meet the need for new pitches setting out clear mechanisms and timescales for delivery, including proposals to revisit the methodology for identifying sites, as well as identifying funding sources. The Council has agreed to respond to this Action Point by the end of April. Clearly the response to this Action Point has an important bearing on how this matter is to be taken forward and Officers will update Committee on the content of the position statement sent to the Inspectors.
R2. Given that the implementation of Recommendation One, if accepted, will take a significant period of time, the Executive	Accepted The Executive response to R1 will still take a significant period of time. The Council's City Development Service will be	Now confirmed that there is funding from a combination of Council GCF and S106 to extend the footpath on Wentloog Avenue to the Shirenewton Site in 2015/16 (providing safe pedestrian access to the bus stop).
task Officers to undertake a feasibility study as a matter of urgency to investigate the possibility of installing a pedestrian footpath from Rover Way Caravan Site to	asked to undertake a feasibility study and then consider the allocation of resources.	Consultation plans are currently being prepared and will be issued to the ward Councillors for approval after the election. An internal and resident consultation process will also be included.

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local amenities and from Shirenewton Caravan Site to the existing footpath network.	Response)	Consideration was given to additional safety measures and the installation of a crossing facility and footway at Rover Way. The scheme was fully investigated, weighted against other safety schemes and requests throughout the City and entered onto a priority list. However, although there have been changes to the priority list since the time of its formation, the scheme does not feature prominently and therefore its implementation is unlikely at the present time unless another funding source is made available. The attached report provides an in depth explanation for its position in the list, including traffic count data, pedestrian movement and accident statistics. Rover Way assessment 15 04 14. In addition to this, a preliminary assessment of the speed limit on Rover Way, using the criteria set out in the Welsh Government document 'Guidelines for Setting Local Speed Limits in Wales' was undertaken. This concluded that a 40mph speed limit, established by analysing data for current traffic flows, speeds and injury related collisions, remained appropriate. Signs have been installed to advise that there is no footway and that pedestrians and horses are in the vicinity.
		There are specific guidelines about what signage can and cannot be put on the highway. The signage installed is the most appropriate for the location and road layout. In

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	addition, the installation of further signage has been ordered that will assist in highlighting the presence of the Rover Way Residential Site and make people aware of the presence of the site entrance/exit location.
Accepted The review of the existing GTAA will be included in the action plan brief which the Council is currently preparing. It is envisaged that the tendering process for this work will start in the autumn 2011 with a draft consultants report produced in summer 2012. The methodology for reviewing the GTAA will follow the basic principles outlined in Assembly guidance and also consider the needs of Gypsies and Travellers in unsuitable accommodation.	As set out above the Council appointed Opinion Research Services/Peter Brett Associates to undertake a Gypsy and Traveller Study. This was in April 2013 and found a need for 108 permanent Gypsy and Traveller pitches and a regional M4 corridor related need for 10 transit pitches up to 2026 This assessment was undertaken in accordance with Welsh Government guidance on GTAA's, including looking at need for Gypsies and Travellers living in bricks and mortar housing. This Action Point can be taken forward in the new process to identify sites to meet the need for Gypsy and Travellers requested by the LDP Inspectors. This process will include production of a new GTAA and submission to Welsh Government for approval by February 2016 to meet new provisions introduced by Housing Act 2014. The Council will shortly be meeting with Welsh Government to discuss how this will be taken forward.
R4(a) recommendation is not accepted It is considered that recommendation R4 (a) is not appropriate as it would not be relevant to test the existing GTAA study against the ten tests of soundness as these are designed to test the LDP as a whole. These tests of soundness are set out in Local Development Plans	As set out above the Council appointed Opinion Research Services/Peter Brett Associates to undertake a Gypsy and Traveller Study. This was in April 2013 and found a need for 108 permanent Gypsy and Traveller pitches and a regional M4 corridor related need for 10 transit pitches up to 2026 This assessment was undertaken in accordance with Welsh Government guidance on GTAA's, This Action Point can be taken forward in the new process to ency Authorisation: Scrutiny OM Page 5 of 13
	Accepted The review of the existing GTAA will be included in the action plan brief which the Council is currently preparing. It is envisaged that the tendering process for this work will start in the autumn 2011 with a draft consultants report produced in summer 2012. The methodology for reviewing the GTAA will follow the basic principles outlined in Assembly guidance and also consider the needs of Gypsies and Travellers in unsuitable accommodation. R4(a) recommendation is not accepted It is considered that recommendation R4 (a) is not appropriate as it would not be relevant to test the existing GTAA study against the ten tests of soundness as these are designed to test the LDP as a whole. These tests of soundness

ACTION (Extracts from Executive RECOMMENDATION **Update as at APRIL 2015** Response) Wales (2005) (Paragraph 4.35), not identify sites to meet the need for Gypsy and Travellers undertake testing of the requested by the LDP Inspectors. This process will include existing GTAA, using the Circular 30/2007 quoted in the Report and relevant tests of soundness production of a new GTAA and submission to Welsh tests the LDP for correct procedure, consistency, coherence and effectiveness. Government for approval by February 2016 to meet new detailed in Local **Development Plans Wales** Only one of these tests is relevant to provisions introduced by Housing Act 2014. The Council will (2005), notably CE2, and the GTAA that relating to the LDP being shortly be meeting with Welsh Government to discuss how Circular 30/2007 as a founded on a robust and credible this will be taken forward. starting point evidence base. a. (supported by KF28) R4(b) recommendation is accepted b. Planning, Housing and The review of the existing GTAA will be other relevant officers to included in the action plan brief which work together to undertake the Council is currently preparing. It is an up to date GTAA, that extends till 2026, using the envisaged that the tendering process for this work will start in the autumn 2011 with basic principles outlined in the Welsh Assembly a draft consultants report produced Government guidance in summer 2012. The methodology for reviewing the GTAA will follow the basic regarding GTAA's principles outlined in Assembly guidance. R5. The Executive task **Accepted** As set out above the Council appointed Opinion Research Services/Peter Brett Associates to undertake a Gypsy and officers to take steps to involve The review of the existing GTAA will be in the GTAA project group a Traveller Study. This was in April 2013 and found a need for included in the action plan brief which wider range of RSLs that rent 108 permanent Gypsy and Traveller pitches and a regional the Council is currently preparing. It is properties to Gypsies and M4 corridor related need for 10 transit pitches up to 2026 The envisaged that the tendering process for Travellers in Cardiff views of a wide range of RSL's that rent properties to Gypsies this work will start in the autumn 2011 with and Travellers were sought in preparing this assessment... a draft consultants report produced in summer 2012. The brief will specifically This Action Point can be taken forward in the new process to request that steps are taken to identify sites to meet the need for Gypsy and Travellers involve in the review of the GTAA wider requested by the LDP Inspectors. This process will include range of RSL's that rent properties to production of a new GTAA and submission to Welsh Gypsies and travellers. Government for approval by February 2016 to meet new Process Owner: Chief Officer Scrutiny, Change & Efficiency Authorisation: Scrutiny OM Page 6 of 13 64.SS.09a Issue 2 Date: 08/06

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		provisions introduced by Housing Act 2014. The Council will shortly be meeting with Welsh Government to discuss how this will be taken forward.
		In undertaking the GTAA it is proposed to work with Gypsy and Traveller Group Wales (formerly Cardiff Gypsy Site Project) looking at either individual consultation or consultation in small groups and also to explore all sectors with activity where records are material e.g. Education.
R6. The Executive recognise that the needs of the Cardiff Gypsy & Traveller communities must be met within Cardiff and planned for in the LDP.	Accepted The review of the GTAA and assessment of sites form part of the wider action plan brief and will provide a robust evidence base for the LDP in terms of identifying unmet accommodation need for Gypsies and Travellers and potential sites to meet this need.	As set out above the LDP Examination Inspectors also asked the Council to prepare a position statement on how the Council will meet the need for new pitches setting out clear mechanisms and timescales for delivery, including proposals to revisit the methodology for identifying sites, as well as identifying funding sources. The Council has agreed to respond to this Action Point by the end of April. Clearly the response to this Action Point has an important bearing on how this matter is to be taken forward and Officers will update Committee on the content of the position statement sent to the Inspectors.
R7. The Executive recognise that a corporate approach is needed to collectively manage the LDP process and mediate between competing views in order to reach an agreed conclusion and therefore put in place the mechanisms to enable this to happen in the	Ensuring appropriate mechanisms are in place to ensure a corporate approach to collectively manage the LDP process and mediate between competing views in order to reach agreed conclusions is recognised and has already been actioned. To ensure this the following Process Owner: Chief Officer Scrutiny, Change & Efficients	The following mechanisms are in place to ensure a corporate approach to collectively manage the LDP process and mediate between competing views: • Senior Officers meet weekly with the lead Cabinet Member to discuss the progress of the LDP and related issues. As part of this process the lead Cabinet Member has been fully briefed on Gypsy and Traveller ency Authorisation: Scrutiny OM Page 7 of 13

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future and provide d these mechanisms i Executive response	n the	mechanisms are in place: The LDP Panel which comprises senior Officers and members of the		issues and kept informed of progress with the on-going studies.
recommendation.		Executive meets bi-monthly to consider progress on the plan. The LDP corporate Officers Working Group which comprises officers from service areas across the Council meets bimonthly again to consider progress on the plan. In addition to this regular liaison meetings will continue to take place between officers within strategic planning and the housing strategy section on Gypsy and Traveller issues.	•	The LDP Corporate Officers Working Group comprising officers from service areas across the Council meets regularly to consider the wider LDP work programme including issues relating to Gypsy and Travellers and the LDP. There have been regular liaison meetings with Officers within strategic planning and the housing strategy section on Gypsy and Traveller issues. This has included working in partnership to set out the scope of the studies, produce tender packs, procure them and assess findings. This partnership working has continued through the LDP Examination process and in responding to the Action Points raised by the Inspectors
R8. The Executive task Planning and Housing Officers to develop site selection criteria that pay due regard to the Welsh Assembly Government guidance on site location and is informed by consultation with the Gypsy & Traveller communities in Cardiff.		The task will be included in the action plan brief which the Council is currently preparing. It is envisaged that the tendering process for this work will start in the autumn 2011 with a draft consultants report produced in summer 2012. The brief will specify that in developing site selection criteria, the consultants pay regard to Assembly government guidance on site location and also consult with	Research Services/Per Gypsy and Traveller relating to the identifica 2013 and identified a land One of the key output selection criteria. This Government guidance consultation with the Cardiff.	set out above the Council commissioned Opinion arch Services/Peter Brett Associates to undertake a y and Traveller Study. The second part of the studying to the identification of sites was completed in Julyiand identified a list of potential sites to meet this need of the key outputs of this study was to develop a site tion criteria. This assessment had regard to the Welsh rnment guidance on site location and was informed by altation with the Gypsy and Traveller communities in ff.
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	the Gypsy and Traveller community before finalising it.	identify sites to meet the need for Gypsy and Travellers requested by the LDP Inspectors. This process will include a review of the methodology for identifying sites, including the site selection criteria. In developing the criteria it is proposed to work with Gypsy and Traveller Group Wales (formerly Cardiff Gypsy Site Project) looking at either individual consultation or consultation in small groups.
R9. The Executive task Planning Officers to take further proactive steps to encourage Gypsy & Traveller communities to begin discussions about potential sites/ pieces of land, including information, support and pre- planning advice on planning issues.	Accepted The task will be included in the action plan brief which the Council is currently preparing. It is envisaged that the tendering process for this work will start in the autumn 2011 with a draft consultants report produced in summer 2012. The brief will specify that in identifying potential sites for assessment the consultants gather the views of the Gypsy and traveller community regarding potential sites.	As set out above the Council have appointed Opinion As set out above the Council commissioned Opinion Research Services/Peter Brett Associates to undertake a Gypsy and Traveller Study. The second part of the study relating to the identification of sites was completed in July 2013 and identified a list of potential sites to meet this need. As part of this study the consultants contacted the Gypsy and Traveller community to discuss potential sites for inclusion in the study. This Action Point can be taken forward in the new process to identify sites to meet the need for Gypsy and Travellers requested by the LDP Inspectors. This process will include a review of potential sites for inclusion in the study. In identifying potential sites it is proposed to work with Gypsy and Traveller Group Wales (formerly Cardiff Gypsy Site Project).
R10. The Executive task	Accepted	The Deposit LDP submitted for examination in August 2014
Planning Officers to ensure		contained the following criteria based policy for assessing any
that the LDP contains a criteria	A criteria based policy is considered	future proposals for Gypsy and Traveller accommodation.
based policy to select sites for	appropriate for inclusion at the LDP	
future need arising and	Deposit stage to select sites for future	H8: SITES FOR GYPSY AND TRAVELLER CARAVANS
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specific, named sites, selected using the criteria developed as per Recommendation 8 and allocated to meet unmet, existing need identified via the GTAA.	need arising. Also the recommendations contained in the work carried out in connection with the action plan brief will be taken forward and specific named sites identified in the plan to meet any unmet existing need identified in the GTAA.	New sites and extensions to existing sites will be permitted where: i. Necessary physical, transport and social infrastructure are accessible or can be readily provided; ii. Environmental factors including flood risk, ground stability, contaminated land and proximity of hazardous installations do not make the site inappropriate for residential development; iii. The site is designed with reference to both the Welsh Government Good Practice Guide in Designing Gypsy Traveller Sites and the views of local Gypsies and Travellers; iv. There would be no unreasonable impact on the character and appearance of the surrounding areas including impact on residential amenity of neighbouring occupiers or the operating conditions of existing businesses; and v. In the case of a transit or touring site, it has good access to the primary highway network. At the LDP Examination Hearing Session the Inspectors did not raise any significant concerns regarding the wording of the Policy and it is not envisaged that the LDP Inspectors report will raise any significant concerns regarding the Policy when published in the Autumn.
R11. The Executive task officers to plan to meet the needs identified in the GTAA by: a. Optimising the sources of land available by working 104.85 persons a lange 08/06	(a) The task will be included in the brief for the forthcoming action plan brief when identifying potential sites for assessment. (b) - Work will be undertaken with all RSLs.	As set out above the Council commissioned Opinion Research Services/Peter Brett Associates to undertake a Gypsy and Traveller Study. The second part of the study relating to the identification of sites was completed in July 2013 and identified a list of potential sites to meet this need.

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Strategy, other relevant council sections, RSLs and the Gypsy & Traveller communities to identify, land bank and allocate sites that meet the criteria developed as a result of Recommendation 8 b. Researching and taking forward alternative ways of providing sites, including RSL development and management of sites c. Researching and taking forward funding opportunities for new sites, including Welsh Assembly	in Cardiff on development and management options following the identification of sites. (c) - All available funding opportunities will be looked at for the development of new sites. (d) Social rented means pitch and van being provided by a social landlord. This is not the case at present as the Council provide the pitches not the vans. The development of private sites is a Planning issue and the relationship, once a private site is established, becomes one of control rather than support. (e) Accepted – Current guidance supports the provision of smaller sites. The	identify sites to meet the need for Gypsy and Travellers requested by the LDP Inspectors outlined above. In identifying potential sites it is proposed to work with Gypsy and Traveller Group Wales (formerly Cardiff Gypsy Site Project).
Government capital grants and council assets and resources d. Ensuring a mixed approach to provision with the bulk of planned provision being social rented to guarantee affordability and accessibility but with private sites being appropriately supported and facilitated e. Ensuring social rented sites are no larger than the	implementation of the action plan by the appointed independent experts will address this issue and make appropriate and evidenced recommendations (f) Accepted – Current guidance supports this approach. The implementation of the action plan by the appointed independent experts will address this issue and make appropriate and evidenced recommendations.	
existing local authority site	Process Owner: Chief Officer Scrutiny, Change & Efficie	ncy Authorisation: Scrutiny OM Page 11 of 13

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at Shirenewton; Members sympathise with the views regarding small sites but accept the realities of economies of scale so see private sites as delivering the small, family sized sites f. Ensuring that sites are planned to enable one caravan per pitch.				
R12. The Executive task officers to investigate the usefulness of producing a Supplementary Planning Guidance note to cover Gypsy & Traveller accommodation provision pulling together all the relevant aspects, including guidance on site selection criteria, design, facilities, environmental issues, the process to follow and the advice and support available to potential developers.	Such SPG may be appropriate at LDP Deposit stage and as part of the drafting of policies relating to Gypsy and traveller sites we will also investigate the need to supplement these policies with appropriate SPG to provide more detailed guidance and advice.	this matter. Officers will update Committee on the this response in relation to this matter.		reparation of nd in its response which ne Council will set out guidance and advice on mittee on the content of
R13. The Executive look to promote choice and equity for Gypsy & Traveller communities by attempting regional working on this issue	Accepted The feasibility of regional working will be explored with neighbouring authorities, the WLGA and the Assembly.	the n	nticipated that this Action Point ew process to identify sites to make ravellers requested by the LDP e.	eet the need for Gypsy
by raising it at the highest 8/06	Process Owner: Chief Officer Scrutiny, Change & Effici	ency	Authorisation: Scrutiny OM	Page 12 of 13

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political level with neighbouring local authorities, the WLGA and the Welsh Assembly Government.		
R14. The Executive note the duties on elected members and tasks appropriate Officers to work with the WLGA to run a cultural awareness training programme for all councillors, Planning Committee members and planning officers in order to support them with knowledge and information about the needs of Gypsy & Traveller communities in Cardiff, this training to be provided between the LDP Preferred Strategy stage and LDP Deposit Stage	A cultural awareness training programme for all Councillors, Planning Committee members and planning officers is proposed to be undertaken between the LDP preferred Strategy and LDP Deposit stage.	Council officers directly involved in managing the consultants undertaking the above studies have attended a cultural awareness workshop undertaken by the Cardiff Gypsy Sites Group. The Equality and Human Rights Commission (EHRC) has recently sent a legal briefing to all Local Authority Chief Executives to emphasise the responsibilities of Councillors in relation to disparaging comments about Gypsy and Traveller sites. The Welsh Government is currently exploring providing training for Councillors across Wales on their duties in relation to Gypsies and Travellers, with reference to the Equality Act 2010 and the Housing (Wales) Act 2014. I will share more details on this when they are available.
R15. The Executive champion the idea that SEWSPG play a coordinating role in annually collecting and storing data re GTAAs.	Accepted This issue will be raised at SEWSPG with a view to agreeing a co-ordinating role in annually collecting and storing data relating to GTAA's.	The Housing Act 2014 introduces new requirements on local authorities to prepare and submit GTAA's to the Welsh Government for Ministerial approval at regular intervals. The first deadline for this is February 2016 and given this it is anticipated that Welsh Government will undertake this coordinating role in collecting and storing data relating to
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		GTAA's across Wales

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