

Hearing Statements for ID 535 and ID 5921 Hearing Session 16:

Gypsy and Travellers

Does the proposed Gypsy and Traveller site at Hayes Road in Sully represent a sound allocation (Policy MG5: Gypsy and Travellers site)?

Our contention is that the Policy MG5 is not appropriate for the area and is not sound for the following reasons.

The allocation has not been subject to a clear and robust site assessment.

There has been a failure to carry out any type of assessment of the MG5 proposal upon Beechwood College which is adjacent to the MG5 site despite formal requests in our representations and focus change submissions to the Vale for an independent assessment of this proposal. We also requested an in house assessment by the two Vale Council officers who have a specific responsibility "to provide and support individuals with High Functioning Autism or Asperger's Syndrome and provide advice and information to parents, carers and professionals." (This quote is from the Vale Councils web site)

We have written to several recognized Authorities on Autism, including the Welsh Government Minister for Health Professor Mark Drakeford asking them to help us find someone to carry out an independent assessment of this proposal. We were advised by Professor Drakeford to contact Professor Sue Leekham of Cardiff University, who advised us that she was not clinically or medically qualified for this work. It should be noted that both Professors did not state that an independent assessment was not appropriate. Professor Leekham advised us to contact the National Autistic Society. In July 2015 they informed us that all Local Authorities were required to have officers with specific responsibility for Autism. As soon as we became aware of this requirement we contacted the VOG asking if they had these officers, they confirmed they had.

We then asked four questions of the officers:

1 The date they were appointed to this position

The reply- We are unable to provide this information as we have been unable to obtain the positive consent of the individual concerned and this is in accordance with: Regulation 13 – To the extent that the information requested includes personal data of which the applicant is not the data subject.

2 Were you consulted on the Vale Councils proposal to locate a permanent Gypsy and Travellers site adjacent to Beechwood College?

The reply- Mr Ingram's was not consulted on the planning matter you refer to or any other planning matter. Mr Ingram's role does not cover planning issues.

3 Could you provide us with any reports or recommendations that you may have made to the LDP team, the VOG Cabinet and the planning department in relation to the proposed Gypsy and Travellers site.

The reply – Mr Ingram has made no reports or recommendations to the LDP team or to the Vale Cabinet or to the planning department on this or any other planning matter.

4 Could you please advise us whether you have visited Beechwood College and discussed their concerns regarding the Vale Councils proposals?

The reply - Beechwood College have not raised any concerns with Mr Ingram on this or any other matter and has not been asked by them to visit and discuss such concerns.

The Vale Councils reply reference for the above four answers is RFI 15 3361.

The above replies from the Vale Council clearly demonstrate that the allocation has not been subject to a clear and robust assessment process. It also demonstrates that the sustainability of Beechwood College has not been considered in the Councils LDP decision making process.

Beechwood College is the only College in Wales which provides full time residential care for students aged 16 and over with Autism or Aspergers Syndrome. There are 60 residential students plus some day students. 250 people are employed to care for the students. The College is one of the largest employers in the Vale of Glamorgan.

Complete lack of consultation in Sully and Lavernock.

Appendix C of the LDP revised delivery agreement May 2014 lists the Specific and General Consultation Bodies. The list on pages 37 to 42 has 273 bodies.

The Specific Consultation bodies (LDP regulation 3) shows 40 Bodies, seven of which are various health or NHS Trusts. There is no evidence that they were asked, gave views or represented Beechwood College in any way.

The Local Development Plan Manual -edition 2 Section 6.5.1.1 states. The views of the following must be taken into account before determining the content of the deposit plan.

Section 2 Those " general consultation bodies' as the authority considers appropriate (i.e. voluntary bodies, bodies representing interest of racial ,ethnic national and religious groups, and disabled persons , business and Welsh culture in the area). Beechwood College is a National Organisation, its students come from all over Wales and beyond. The VoG Council were wrong to exclude Beechwood from the list of general consultation bodies.

On pages 38 to 39 of the LDP delivery agreement there are 82 bodies listed as voluntary bodies, some or all of whose activities benefit any part of the authority's area. The Penllyn Residents Association is shown as a Consultation Body. Sully and Lavernock Residents Association is much larger with 800 members but has been excluded from the list. The Vale Council are very aware of the existence of this large association. Why were they not consulted?

In terms of size and importance of organisations in the Vale of Glamorgan, Beechwood College is probably in the top ten in the area. Why have they been ignored? Why has the college long term sustainability not been considered?

I have closely read the LDP relating to MG5: Gypsy and Traveller Site and I am unable to find any reference or consideration of Beechwood College in the decision making process to locate a Gypsy and Travellers adjacent to the College. If I am wrong, can the Vale Council provide documentation demonstrating how they considered or consulted Beechwood and arrived at their decision to locate MG5 along side the college?

Hayes Road slip way Allotment site (MG5)

Since 2008 The Sully and Lavernock Community Council (SLCC) have been trying to provide Allotments for residents at the site (which has recently become MG5) under their mandatory obligations and provisions of the following.

**PLANNING POLICY WALES TECHNICAL ADVICE NOTE 16. SECTION 3.27
THE 1908 SMALLHOLDING AND ALLOTMENT ACT SECTION 23
VALE OF GLAMORGAN COUNCIL ALLOTMENT STRATEGY 2012-2017.
VERSION 2. 23RD FEBRUARY 2012.**

Technical advice note 16. Section 3.27 requires Policies in the LDP to address the needs to provide and protect allotment/compost /wildlife sites where a short fall has been identified. It may be appropriate to use Section 106 Agreements to provide allotments in combination with composting and natural green spaces.

The LDP background paper for allotments shows that the waiting list for allotments throughout the Vale has increased to about 950. This represents an increase of 80% over the last decade. The LDP contains no specific provision in any Community to provide more allotments, or address this short fall and respect the TAN 16 provisions.

The Gypsy and Travellers background paper lists the many sites that are owned by the VoG. I suggest that the Vale carry out a detailed analysis of these sites together with an analysis of the allotment short fall and identify which of the Vale owned sites are suitable and in the right location to reduce the allotment shortfall. A sound LDP should contain specific proposals for allotment sites.

Sully and Lavernock Community Council identified an allotment short fall in 2008 and in early 2009 informed the VoG of their need for an allotment site. Over the next seven years SLCC and The VoG have been in constant communication on this requirement. There is a very long document trail on this matter. To date there are 94 separate documents comprising of 191 pages many of which relate to the provision of allotments on the proposed MG5 site at Hayes road Sully.

I have suggested to the VoG that we agree a Statement of Common ground on some of the key documents relating to MG5 as I would not want to waste the Inspectors valuable time reviewing all 94 documents.

The documents I consider key are below and show the following.

July 14th 2009 --- The VoG letter recognises that under the provisions of the 1908 Smallholdings and allotment act SLCC should address the requirements of the act.

October 2nd 2009 ----SLCC ask VoG on availability of land for allotments in Sully.

February 2nd 2010 --- Reply to above letter. Area around Beechwood college subject to site Inspections. etc.

April 2012 VoG Letter from Mr M Punter head of visible services. Re Inaugural Vale of Glamorgan Council Allotment Strategy 2012-2017

August 7th 2012 SLCC Informing Mr Punter with details of residents who want allotments .Also Inform him that Beechwood College have requested allotments for their residents.

October 9TH 2012. VoG --- Mr Punter. Asked SLCC if they are willing to undertake allotment construction in the area they have indicated. (Hayes road slip way site) which is now MG5. Also asked if the SLCC is willing to manage and administer these allotments in the future.

November 7th 2012. SLCC to VoG . Confirm SLCC would be willing to run, manage and administer the allotments. Ask for an indication of Construction costs.

January 30th 2013 Mr Punter asks the SLCC to prepare a Business case for allotments at this location (Hayes road slip way site) which is now MG5.

February 5th 2013 Minutes of the SLCC Ordinary Council Meeting attended by Mr Punter. Mr Punter stated that the allotments were a great idea and fitted in with the strategy of the Authority. He also confirmed the need for a sustainable business plan.

May 23RD 2013. SLCC submit to Mr Punter Twenty Page business case for allotments at Hayes road. The plan was jointly prepared by SLCC and Beechwood College as a Community project following Welsh Government Guide lines. Submitted under the provisions of the 1908 Smallholding and Allotment Act Section 23.

The Proposal for a Permanent Gypsy and Travellers site at Hayes road Sully should be deleted from the LDP and replaced a permanent Allotment site under the Mandatory provisions of the 1908 Smallholding and Allotment Act Section 23. Additionally the provisions of the Planning policy Wales Technical advice note 16 and the Vale of Glmorgan Allotment Strategy should be fully respected and implemented. The LDP it is not sound if they are not.

It should be noted the Leader of the VoG Council in his letter 30th October 2014 to SLCC confirmed that “ the VoG allotment strategy did identify a need for allotments in Sully but these could have been at any suitable location within the village and commitment to allow one any particular site in Sully was not given”. He confirms the existence of a VoG allotment Strategy but seems to forget that over a seven year period The VoG have consistently only been able to identify one suitable allotment site , which is the Hayes road Slipway site.

It should also be noted that the 1956 Ordnance survey map of the area shows that part of the MG5 site is shown as” Allotment Gardens”. Sully had allotments on this land long before the Vale installed a Civic amenity operation. During the construction of the Amenity site the top soil was removed and stored behind the site so that if the amenity site ceased to operate the soil could be replaced for future use.

Allotments on this site would be beneficial to residents and especially the students at Beechwood College on an ongoing basis. A Gypsy and Travellers site would be detrimental, particularly to the students and the expansion of the College.