

FORM 2

NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me, I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Duty to Co-operate with South Staffs in relation to Gypsy and Traveller sites	To respond to the duty to co-operate request received from South Staffs council regarding meeting their housing need for Gypsy and Travellers within Wyre Forest DC	Local Planning Authorities are required to respond to Duty to Co-operate requests but are not obliged to reach agreement. WFDC are not able to assist with meeting the Gypsy and Traveller accommodation needs of a neighbouring authority as have only been able to identify one site that will meet its own needs.	asap

I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

Dated: 17 March 2022

Signed: 

Councillor:Helen Dyke.....
Leader

WYRE FOREST DISTRICT COUNCIL

South Staffordshire Council Local Plan Review Preferred Options Consultation – Gypsy and Traveller Pitch Provision

1. PURPOSE OF REPORT

- 1.1 To agree the response submitted to South Staffordshire Council in response to their request relating to gypsy and traveller pitch provision.

2. RECOMMENDATION

The Leader of the Council and Cabinet Member for Economic Regeneration, Planning and Localism is asked to decide that:

- 2.1 The letter included in Appendix 1 be approved for submission to South Staffordshire Council.

3. BACKGROUND

- 3.1 South Staffordshire undertook a Gypsy and Traveller Accommodation Assessment in 2021 as part of the background work on their Local Plan Review. This was published as part of their Preferred Options consultation in late 2021. The GTAA demonstrated a need for 72 pitches within 5 years and 121 over the 15-year plan period. A separate Pitch Delivery Study concluded that South Staffordshire could only accommodate 42 additional pitches through expanded or intensified existing sites. All the pitches are within the Green Belt. South Staffordshire Council has also examined its landholdings to see if there is potential for a new public gypsy site. However, all appear to have significant constraints.
- 3.2 South Staffordshire Council consulted on its Local Plan Review Preferred Options in November 2021. This document stated that the Council was unable to meet its Gypsy and Traveller pitch needs identified through their Assessment. As a neighbouring authority and Duty to Cooperate body (see paragraphs 24-27 National Planning Policy Framework), Wyre Forest District Council and other neighbouring Duty to Cooperate partners have been approached to see if there is any capacity within their boundaries to either accommodate some or all of these unmet needs on existing sites or whether new public sites could be created to address this cross-boundary issue.
- 3.3 As part of the Local Plan Review, Wyre Forest undertook its own Gypsy and Traveller Accommodation Assessment (GTAA) in 2020. This identified a total indicative need for 35 pitches over the period (2020/21-2035/36), with 13 of the required pitches falling within the definition set out in the Planning Policy for Traveller Sites. The Council identified one new site at Zortech Avenue which is now included in the emerging Local Plan. However, there were no other sites identified that could meet any further need.

4. KEY ISSUES

- 4.1 Wyre Forest District Council have undertaken their own GTAA as this was identified as a requirement for the Local Plan. The Planning Inspector required the Council to identify a way to meet its own accommodation needs within Wyre Forest District, which was challenging. The only site that was identified and was deemed to be deliverable, was the site in the Council's ownership at Zortech Avenue. This site is

considered large enough to accommodate the district's pitch requirement taking into account the site's locational constraints. The site does not have any surplus capacity, however, to take additional pitches.

4.2 The requirement for 13 additional pitches took into account the potential to provide 4 more pitches by expansion/intensification of 3 small private existing sites in Stourport-on-Severn together with the regularisation of an existing site for 4 pitches on Wilden Lane.

4.3 Any new sites identified within Wyre Forest in the future need to be in sustainable locations and ideally not within the Green Belt. These should be aimed at meeting the emerging needs of our own Gypsy and Traveller community beyond the Local Plan period.

4.4 Wyre Forest District only has one publicly owned site which is managed by Worcestershire County Council. This has no further capacity for expansion as already considered through our own GTAA.

5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications relating to this matter.

6. LEGAL AND POLICY IMPLICATIONS

6.1 Duty to co-operate is enshrined in legislation (Localism Act 2011) but it does not require Local Authorities to reach agreement where this isn't possible.

7. CONCLUSION

7.1 Wyre Forest only has one publicly owned site which is managed by Worcestershire County Council. This has no further capacity for expansion as already considered through our own GTAA.

7.2 Wyre Forest is proposing to allocate a new gypsy and traveller site on land in our ownership off Zortech Avenue via the Local Plan. This site is also currently in the Green Belt. The site is capable of meeting our pitch requirement for the Plan Period. We do not have any surplus capacity to offer up for South Staffordshire.

8. CONSULTEES

8.1 Statutory Officers and the Planning Manager.

9. BACKGROUND PAPER

9.1 Request from South Staffordshire regarding the duty to cooperate is at Appendix 2.

Appendix One

Dear Councillor Mason,

South Staffordshire Council Gypsy and Traveller Pitch Provision

Thank you for your letter dated 14 January.

Wyre Forest District Council, as a Duty to Cooperate partner, has considered your request for assistance with meeting the unmet need for gypsy pitches in South Staffordshire. Unfortunately, we are not able to assist with this request.

There is only one public gypsy and traveller site in our District on the Sandy Lane Industrial Estate in Stourport-on-Severn. This site has already been redesigned to increase its capacity and there is no further scope for expansion.

The Council undertook its own Gypsy and Traveller accommodation assessment in 2021 and this identified a total need for 35 pitches over the period (2020/21-2035/36), with 13 of the required pitches falling within the definition set out in the Planning Policy for Traveller Sites.

The Council identified the potential to provide 4 more pitches by expansion/intensification of 3 small private existing sites together with the regularisation of an existing site for 4 pitches and one new site at Zortech Avenue, Kidderminster which is now included in the Local Plan. However, there were no other sites identified that could meet any further need.

We received the inspector's final report on the Wyre Forest District Local Plan 2016-2036 on 11 March and it is now too late to consider further changes to it. The site proposed in the plan is in the Council's ownership on the southern edge of Kidderminster. This will entail removing land from the Green Belt. This site, along with the others mentioned above, will satisfy the plan requirement shown by our GTAA 2020. The site is considered suitable for allocation as it is adjacent to the main employment area and within easy reach by foot of schools, shops, and other facilities and is close to where the majority of our Gypsy and Traveller population are located, which is important for family networks.

Much of Wyre Forest District is also within the West Midlands Green Belt and for this reason we were also constrained in our search for suitable sites to fulfil the pitch requirement.

While your letter mentioned that you had examined sites in the District Council's ownership, you did not provide any information on whether you had examined other potential sites in public ownership (such as land owned by Staffordshire County Council or the NHS) or indeed previously developed land in private ownership and so it isn't clear whether you have also pursued these options.

Yours faithfully

Councillor Helen Dyke



Sent via email
FAO: Cabinet Members for Planning

Please ask for: Kelly Harris
Direct Dial: (01902) 696418
Email: k.harris@sstaffs.gov.uk

14 January 2022

Dear Councillor,

South Staffordshire Council Gypsy and Traveller pitch provision

I'm writing to you in connection with South Staffordshire's recent 2021 Local Plan Review [Preferred Options](#) consultation. As you may have seen in the document itself the District Council is currently unable to meet its Gypsy and Traveller pitch needs identified through our [Gypsy and Traveller Accommodation Assessment \(GTAA\) 2021](#). The GTAA 2021 identifies that Gypsy and Traveller families within the District generate a need for 72 pitches within the 5 year period and 121 pitches over the 15 year period.

In tandem with our GTAA we have prepared a separate [Pitch Deliverability Study \(PDS\) 2021](#). This study was also undertaken by ORS and assessed the deliverability of all site options that had been suggested to us, including an assessment on the planning constraints of the site and an analysis of sites capacity to accommodate new pitches. Following this analysis, the PDS 2021 concluded that South Staffordshire is only able to accommodate 42 additional pitches through expanded or intensified existing sites. All of these pitches are within the Green Belt and reflect the District's attempts to maximise all suitable and deliverable Green Belt sites available to meet identified family needs. Policy SA6 of the 2021 Preferred Options consultation proposes to allocate all of these pitch options, but despite this the Council will still be unable to meet the high need figures given in the GTAA 2021, either in the 5 or 15 year period.

Given what appears to be an acute unmet need for the Gypsy and Traveller pitches to meet family needs, the Council has also examined its own land holdings to see if there is potential for a new public site to be created within the District, which could then be controlled to ensure it supplied pitches to the Gypsy and Traveller families which generate the District's pitch needs. The summary results of this work are set out in the [Gypsy and Traveller Public Sites Search November 2021](#). Despite reviewing all of the Council's own landholdings, all appear to have significant constraints that would prevent them from being delivered, such as open space or sports facilities which have not been identified as suitable for disposal, environmental





designations (e.g. Local Nature Reserves) or sites which are permitted/in use as other important functions (e.g. crematoria or employment land).

Given the need to plan for our Gypsy and Traveller pitch needs, **we are therefore seeking your assistance as a Duty to Co-operate body¹ to meet these unmet pitch needs. Specifically, we need to understand if there are options to either accommodate some or all of these unmet needs on existing public sites within your area, or whether new public sites could be created on available land in your area to address this cross-boundary issue.** If you are unable to assist the District in meeting these unmet needs on public sites we would appreciate a justified explanation of why this is not the case and the site typologies you have explored before reaching this conclusion, so that we can be sure that a consistent approach is being taken.

Given the pressing need to address this matter prior to our next local plan consultation, **we would appreciate a response to this letter no later than 25th February 2022.** If you wish to clarify any matters relating to this letter then please contact Kelly Harris (k.harris@sstaffs.gov.uk).

Yours faithfully,

Councillor Terry Mason

Cabinet Member for Planning and Business Enterprise

¹ This letter has been sent to all Greater Birmingham Housing Market Area authorities and other local authorities that adjoin South Staffordshire. This recognises the functional housing market area geography already established over this area and the need to work with other adjoining local authorities prior to delivering otherwise inappropriate development within the District's Green Belt. As a key duty to co-operate body and public landowner Staffordshire County Council have also been copied into this correspondence.

