

Development Plan Panel

Tuesday, 18th July, 2017

PRESENT: Councillor P Gruen in the Chair

Councillors B Anderson, C Campbell,
M Coulson, C Gruen, G Latty, T Leadley,
R Lewis, J McKenna, F Venner and
N Walshaw

1 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

2 Exempt Information - Possible Exclusion of the Press and Public

The agenda contained no exempt information.

3 Late Items

No late items of business were added to the agenda.

4 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests, however Councillor T Leadley reported that he had an “other interest” in agenda Item 7 Site Allocations Plan – Negotiated Stopping Sites for Gypsies & Travellers’ – as he was Chair of the Lee Fair Committee (minute 7 refers).

5 Apologies for Absence

Apologies for absence were received from Councillor J Procter. The Panel welcomed Councillor G Latty as substitute member.

6 Minutes

RESOLVED - That the minutes of the Development Plan Panel meeting held on 9th May 2017 be approved.

7 Leeds Site Allocations Plan - Negotiated Stopping Sites for Gypsies & Travellers

The Chief Planning Officer submitted a report seeking Members’ views on a draft management approach to the negotiated stopping needs of Gypsies and Travellers (G&T) in Leeds. The proposed approach was set out in a note entitled “A management approach to negotiated stopping for short term Gypsy and Traveller visitors to Leeds” attached as an appendix to the report.

The report acknowledged that there was a shortage of suitable sites for Gypsies and Travellers (G&T) in Leeds, which had led to an increase in incidences of unauthorised encampments. The Site Allocations Plan (SAP) would address this by allocating and safeguarding sites through Council managed sites, private run sites and sites for negotiated stopping as set out in the Core Strategy. The Core Strategy had identified a requirement for 9 negotiated stopping pitches to meet the needs of those G&T families who stop temporarily in Leeds.

The Group Manager, Policy & Plans, introduced the report and highlighted that this approach did not identify and allocate specific sites but outlined a responsive managed approach to negotiated stopping. This would be case specific and would avoid a regular turnover of temporary residents at fixed transit sites. The document was intended to support existing operational activities in relation to specific Council services including: housing, planning, enforcement, asset management and health and well-being. The Head of Housing Support also attended the meeting and provided the Panel with information specific to the needs of the Gypsy & Traveller community.

Members and officers discussed the following issues:

- The reasoning for the negotiated stopping approach instead of designated transit sites. Comparison with other authorities utilising fixed transit sites had showed that those sites attracted increased levels of unauthorised behaviour and site use which had a greater impact on nearby residents
- A spread of smaller sites would enable the authority to better meet the needs of Gypsy & Travellers visiting Leeds
- The close working relationship with Leeds GATE - the Gypsy & Traveller representative group who had identified Core Strategy needs through consultation
- Monitoring over a 5 years period had identified that Gypsy & Travellers visiting Leeds stayed on average up to 17 days, for specific reasons on either suitable or unsuitable sites.
- The 'social contract' between the visiting Gypsy & Travellers and the authority would encourage uplift in behaviour on the sites. The Panel received assurance that Leeds GATE was committed to the use of the social contract and would support its implementation.

Responsibility to address behaviour issues was within the remit of the Gypsy & Travellers Team, Housing Leeds. The social contract supported three issues key to this approach;

- by emphasising that G&T visitors would be tolerated on a stopping site for a period of no more than 28 days
- if the stopping site chosen by the visitors was deemed unsuitable, they would be directed to a more suitable site;
- if behaviour on site was unsuitable Housing Leeds could still move to recover possession of the site. All adult visitors would be requested to sign a 'toleration agreement' which set out behavioural conditions – that agreement would be null and void if breached and action to recover the site would be taken through the courts.

One Member queried whether the Planning Inspector would support the negotiated stopping approach and requested information on whether advice from independent Counsel had been obtained on this issue. It was noted that external legal advice had not specifically been sought; however the principle of the negotiated stopping strategy was outlined within the adopted Core Strategy and was in line with National Guidance.

The Panel received assurance on the remedies available to the Council should visitors fail to engage in the negotiated stopping process – in such circumstances, the Council still retained existing options to take action, the negotiated stopping contract and Toleration Agreements did not supersede existing powers

(Councillor R Lewis joined the meeting at this point)

The Panel also discussed:

Resources - Members received assurance that although currently there was no 24hour service, the Gypsy & Traveller management team within Housing Services would ensure the resources needed would be available to respond to G&T visitors in order to provide amenities. Mobile toilets and skips would be provided – intended to reduce additional costs of site clearance/reparation if facilities are not provided. With negotiated stopping, it was anticipated that costs to the Council should reduce

Site identification – Sites would be identified as required in conjunction with LCC Asset Management & Regeneration and officers from across the Metropolitan District and identify pieces of land deemed suitable for a short period of time for G&T visitors – such as cleared sites, disused car parks or transit depots. Site characteristics to determine suitability included amenity needs; impact on neighbouring residents; away from pylons and areas of flood risk and not including parkland/greenbelt sites.

In summing up, the Chair outlined his support for action to be taken against Gypsy & Traveller visitors, who having signed a 'Toleration Contract' then left a site in an unacceptable state. In addition, it was agreed that every instance of the use of the negotiated stopping approach and 'Toleration Contract' would be recorded and monitored to ensure the new approach is fit for purpose. Officers agreed to supply requested information on the number of Gypsy & Traveller short stays per year. In general Members supported what was seen as a pragmatic and innovative approach although the Panel did note some concerns expressed about the following:

- possible incidences of non-negotiation in the future
- the length of the 28 day 'Toleration Contract'
- the importance of having the resources available to provide amenities as soon as possible for new visitors in order to prevent misuse of stopping sites
- the need for the policy approach to reference safeguarding and impact on and support available to affected communities

In conclusion, the Chair acknowledged the balanced approach set out in the proposals for negotiated stopping.

RESOLVED –

- a) To endorse the approach outlined in Appendix 1 "A management approach to negotiated stopping for short term Gypsy and Traveller visitors to Leeds" and
- b) To request that the Chief Planning Officer and Director of Resources and Housing approve the approach as a protocol with immediate effect and submit it as background evidence to the Site Allocations Plan.

(Under the provisions of Council Procedure Rule 16.5 Councillors B Anderson and G Latty required it to be recorded that they abstained from voting on this matter)

8 Housing Land Supply and delivery update

The Chief Planning Officer submitted an update on the supply and delivery of housing in Leeds. The report detailed the various approaches adopted by the Council through the work of the Housing Growth Team and the Asset Management & Regeneration Team to support housing growth in order to meet the current Core Strategy target. The report also emphasised the importance of the adoption of the Site Allocations Plan to increase the supply of deliverable sites in Leeds.

In introducing the report, the Principal Planner, Strategic Planning, highlighted that housing delivery in 2016/17 had marked a slow turnaround in available housing supply but actual delivery required further support to encourage the market. On average 110 sites were under construction, but the development in the region of 150 sites at any one time was required to deliver Leeds' annual housing target. The Principal Planner also highlighted the actions that Leeds was taking to promote delivery of brownfield land including being a pilot authority for the Government's Brownfield Land Register programme.

Members noted that the 2017 Five Year Supply Update was underway, supported by a revised Strategic Housing Land Availability Assessment (SHLAA) and was expected to report in the late Summer 2017. The Authority would be assessed by the existing 4,700 housing delivery target until a new target is adopted in the Core Strategy Selective Review.

(Councillor Coulson withdrew from the meeting for a short time at this point)

- Members highlighted the following matters during their discussions:
- A key issue was the ability of volume housebuilders to commence on-site;
- The number of permissions granted last year (5,500) against a sluggish build out rate;
- The importance of small and medium sized building firms in the delivery of the overall housing target. Members expressed an interest in receiving feedback from this group on their view of the market;
- Whether the planned review of the Green Belt could be delayed pending the new housing target;
- Whether a new reduced housing target figure would be delivered equably across the city;
- Delivery rates of housing for older persons.

It was noted that further information on the Builders Finance Fund would be provided to Members following the meeting and Members also requested information on the number of permissions granted and the number of permissions implemented and started on site.

RESOLVED -

- a) To note the contents of the report
- b) To note contents of the discussions and the views expressed by Members.

9 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 5th September 2017 at 1.30 pm.

(Councillor R J Lewis left the meeting)

At the conclusion of the formal business meeting, the Chair indicated that an informal workshop would be held for Panel members on the SHMAA

(Councillor J Procter joined Panel members to attend the workshop)

10 Informal workshop - Strategic Housing Market Assessment (SHMAA)

At the conclusion of the formal business meeting, the Group Manager (Policy & Plans) provided the Panel with information previously presented to the Strategic Housing Market Assessment (SHMAA) Reference Group in order to ensure Members were up to date with current SHMAA work.

The Core Strategy Selective Review (CSSR) is at an initial evidence gathering stage and a revised SHMAA is part of this. Consultation on CSSR policies is timetabled for December 2017. The CSSR will amend the plan period by rolling it forward 5 years, revisit the housing requirement, update housing standards; Greenspace policies and reflect Affordable housing provision changes.

A briefing note arising from the SHMAA reference group meeting was tabled which included initial housing target outputs and Members were provided with information on the housing requirement assessment approach. Although Planning Practice Guidance methodology is largely unchanged since the net figure of 70,000 was reached the demographics have changed; the recent Housing White Paper also sets out a new standardised approach involving a "Local plan expert group" which remains in draft.

The briefing note outlined the outcome of the review of Leeds' calculations using both the LPEG and PPG models and included a range of housing target output figures. The review undertaken by Arc 4 and Edge Analytics assessed demographics, migration, economic drivers and how these factors generate housing need.

During discussions, the following matters were highlighted:

- Headship rates and household size
- Acknowledged no specific figure identified at this point in the process.
- Further interrogation of the findings had been commissioned
- The range of figures did not include the backlog of undelivered housing accumulated during the 2012-17 period
- Whether this range of housing market need figures was comparable with the range from the original SHMAA in terms of influencing factors, assessment approach.

RESOLVED – To note the information provided and the comments made during discussions